

MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA
July 20, 1992

Meeting convenes at 10:00 a.m., Monday, July 20, 1992, in the fourth floor conference room.

Public Participation

10:30 a.m.

Break

3:00 p.m.

APPOINTMENTS:

John Huigens - Saunders Oil Company (Item #15A)
MacMillan Oil Co., Inc. (Item #15B)
City of Winterset (Item #15C)

1:15 p.m.

2:15 p.m.

1:45 p.m.

1. Approve Agenda.
2. Approve Minutes of June 15, 1992.
3. Director's Report. (Wilson) Information.
4. ~~Financial Status Report. (Kuhn) Information.~~
5. Iowa Association of Municipal Utilities Contract. (Kuhn) Decision.
6. Section 319 Nonpoint Pollution Control Project Contracts. (Kuhn) Decision.
7. Landfill Alternatives Grant Applications. (Hay) Information.
8. Midwest Low Level Radioactive Waste Compact Commission Update. (Hay) Information.
9. Proposed Rule--Chapter 82, Well Contractor Certification. (McAllister) Information.
10. Final Rule--Chapter 61, Stream Use Designation. ^{*phase IV*} (McAllister) Decision.
11. Notice of Intended Action--Chapter 61, Certification of Corps of Engineers Regional Permits. (McAllister) Decision.
12. Monthly Reports. (McAllister) Information.
13. Final Rule--Chapters 100 and 102, Permits: Special Waste Authorizations. (McAllister) Decision.

- 14. Proposed Rule--Chapters 20,22,23,24,25 & 29, Air Quality Rule Amendments. (McAllister) Information.**
- 15. Referrals to the Attorney General. (Murphy) Decision.**
 - a) Saunders Oil Company (Sioux City)**
 - b) Macmillan Oil Company, Inc. (Des Moines)**
 - c) City of Winterset**
 - e) Tandem-Oak Park Associates (Ft. Dodge)**
- 16. 1993 Legislative Proposals. (Wilson) Information.**
- 17. General Discussion**
- 18. Address Items for Next Meeting**

NEXT MEETING DATES:

August 17, 1992

September 21, 1992

October 19, 1992

ENVIRONMENTAL PROTECTION COMMISSION

July 20, 1992

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Amy Christensen Couch	Sullivan & Ward PC	DM
RUSSELL	COUNTY ENGINEERS	JEFFERSON
Scott Young	Staley Law Firm	Davenport
Mary Braun	House Dem. Staff	DM
Theresa Kehoe	Sen. Dem. Staff	DSM
Mark Truesdell	Bering, Swanson & Forrest	DM.
Rod Brant	CR Gzeth	DM
Rick Kelley	UHL	
Joe Nettleton	SALSBURY CHEMICALS	CHARLES CITY
Ron Mader	Petroleum MARKERS & TA	DILL,
Gene Saunders	Saunders Oil	Sioux City
John Huigens	Saunders Oil	Sioux City
Bill Behan	Deere & Co	D.M.
Mark Nitchals	City of Winterset	Winterset
ART CHERRY	CITY OF WINTERSET	WINTERSET

ENVIRONMENTAL PROTECTION COMMISSION

July 20, 1992

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
Roland C. Newton	Patzis	Des Moines
Jonathan C. Lampton	MES,	Des Moines
Chuck Becker	Belin Law Firm	DM

RECORD COPY EPC Meeting
File Name ADM-1-1-1 July 1992
Senders initials JL.

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

JULY 20, 1992

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Acting Chairperson Yeager at 10:00 a.m. on July 20, 1992, in the Wallace State Office Building, Des Moines, Iowa.

COMMISSIONERS PRESENT

Verlon Britt
Charlotte Mohr
Margaret Prahl
Gary Priebe
Nancylee Siebenmann
Clark Yeager

COMMISSIONERS ABSENT

William Ehm
Richard Hartsuck
Rozanne King

ADOPTION OF AGENDA

~~The following adjustments were made to the agenda:~~

- Add: Appointment - Saunders Oil Co. (Item #15a) 1:15 p.m.
- Add: Appointment - City of Winterset (Item #15c) 1:45 p.m.
- Add: Appointment - Macmillan Oil Company, Inc. (Item #15b) 2:15 p.m.

Motion was made by Charlotte Mohr to approve the agenda as amended. Seconded by Nancylee Siebenmann. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Acting Chairperson Yeager stated that the minutes of June 15, 1992 stood approved as presented.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, reported on a successful and productive REAP Assembly held July 11. He noted that actions taken at the assembly pertained primarily to funding and interest.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The FY92 division Financial Status report, as of 6/30/92, will be forwarded as soon as available. This report includes all of the FY92 salary expenditures. However, FY92 support expenditures will be finalized in July and August. A complete report of FY92 revenues and expenditures should be available by September.

The staff is preparing the FY93 budget. The actual salary adjustment funding is expected to be available toward the later part of July, and the budget, itself, should be completed shortly thereafter.

Work on the FY94/5 budget request will proceed rapidly upon completion of the FY93 budget. ~~Information will be provided to both commissions regarding the budget request,~~ both for review and for input, as soon as possible. Normally, the budget request is due to the Department of Management by September 1. However, because of the delays in completing action on the FY93 budget, it is likely that DNR action completing the FY94/5 request will not occur until October.

(Reports are shown on the following 3 pages)

Environmental Protection Commission Minutes

July 1992

J080C103

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 06/30/92

	TOTAL EXPENDITURES 06/01/92 - 06/30/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
1000 DIRECTOR'S OFFICE					
101 PERSONAL SERVICES	18,370.87	203,873.61	167,531.00	36,343.00	167,531.00
202 IN-STATE TRAVEL	1,892.22	20,125.47	37,000.00	16,875.00-	37,000.00
205 OUT-STATE TRAVEL	0.00	1,365.95	3,000.00	1,634.00-	3,000.00
301 OFFICE SUPPLIES	91.76	1,534.70	2,000.00	465.00-	2,000.00
303 EQUIPMENT MAINTENANCE SUP	195.25	1,037.43	750.00	287.00	750.00
308 OTHER SUPPLIES	0.00	45.64	1,200.00	1,154.00-	1,200.00
309 PRINTING & BINDING	983.56	10,534.41	14,000.00	3,466.00-	14,000.00
401 COMMUNICATIONS	238.54	4,991.23	3,000.00	1,991.00	3,000.00
406 OUTSIDE SERVICES	578.29	2,508.51	2,000.00	509.00	2,000.00
410 DATA PROCESSING	352.85	1,651.22	4,800.00	3,149.00-	4,800.00
414 REIMBURSEMENTS TO OTHER A	0.00	139.80	750.00	610.00-	750.00
501 EQUIPMENT	0.00	5,598.84	3,874.00	1,725.00	3,874.00
602 OTHER EXPENSES & OBLIGATI	0.00	50.00	0.00	50.00	0.00
DIVISION TOTAL	22,703.34	253,456.81	239,905.00	13,552.00	239,905.00

J080C103

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2000 COORDINATION AND INFORMATION					
101 PERSONAL SERVICES	85,039.60	1,186,262.92	1,283,115.00	96,853.00-	1,283,115.00
202 IN-STATE TRAVEL	513.63	18,475.51	22,000.00	3,526.00-	22,000.00
203 STATE VEHICLE OPERATION	681.29	5,753.26	8,721.00	2,968.00-	8,721.00
204 STATE VEHICLE DEPRECIATIO	655.00	7,705.00	12,460.00	4,755.00-	12,460.00
205 OUT-STATE TRAVEL	424.89	5,721.10	9,750.00	4,028.00-	9,750.00
301 OFFICE SUPPLIES	24,527.86	113,809.39	102,350.00	11,459.00	102,350.00
302 FACILITY MAINTENANCE SUPP	67.15	3,790.89	4,000.00	209.00-	4,000.00
303 EQUIPMENT MAINTENANCE SUP	407.48	2,878.41	3,000.00	121.00-	3,000.00
308 OTHER SUPPLIES	2,567.78	39,654.18	65,555.00	25,900.00-	65,555.00
309 PRINTING & BINDING	46,558.75	283,510.54	362,593.00	79,083.00-	362,593.00
312 UNIFORMS & RELATED ITEMS	0.00	383.12	600.00	217.00-	600.00
401 COMMUNICATIONS	2,272.89	29,688.83	28,600.00	1,089.00	28,600.00
402 RENTALS	0.00	1,368.80	2,000.00	631.00-	2,000.00
403 UTILITIES	10.21	181.00	750.00	569.00-	750.00
405 PROF & SCIENTIFIC SERVICE	224.78	274.78	7,000.00	6,725.00-	7,000.00
406 OUTSIDE SERVICES	6,398.75	37,322.27	59,100.00	21,778.00-	59,100.00
408 ADVERTISING & PUBLICITY	0.00	8.75	6,135.00	6,126.00-	6,135.00
410 DATA PROCESSING	2,438.82	12,491.57	13,450.00	958.00-	13,450.00
414 REIMBURSEMENTS TO OTHER A	0.00	4,078.44	5,000.00	922.00-	5,000.00
501 EQUIPMENT	756.74	9,345.17	15,400.00	6,053.00-	15,400.00
602 OTHER EXPENSES & OBLIGATI	0.00	4,589.00	0.00	4,589.00	0.00
DIVISION TOTAL	173,545.62	1,767,293.13	2,011,579.00	244,285.00-	2,011,579.00

J080C103

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AS OF 06/30/92

	TOTAL EXPENDITURES 06/01/92 - 06/30/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
3000 ADMINISTRATIVE SERVICES DIV.					
101 PERSONAL SERVICES	280,515.89	3,572,760.67	3,951,473.00	378,713.00-	3,951,473.00
202 IN-STATE TRAVEL	3,401.38	49,068.94	56,000.00	6,931.00-	56,000.00
203 STATE VEHICLE OPERATION	4,216.34	50,143.86	60,500.00	10,355.00-	60,500.00
204 STATE VEHICLE DEPRECIATIO	5,875.00	63,850.00	74,200.00	10,350.00-	74,200.00
205 OUT-STATE TRAVEL	0.00	1,998.24	1,800.00	199.00	1,800.00
301 OFFICE SUPPLIES	15,470.52	281,845.27	338,600.00	56,755.00-	338,600.00
302 FACILITY MAINTENANCE SUPP	43.03	16,349.48	6,000.00	10,349.00	6,000.00
303 EQUIPMENT MAINTENANCE SUP	2,593.92	43,394.69	52,000.00	8,605.00-	52,000.00
308 OTHER SUPPLIES	1,361.86-	15,280.33	11,700.00	3,580.00	11,700.00
309 PRINTING & BINDING	802.85	14,813.15	21,300.00	6,488.00-	21,300.00
312 UNIFORMS & RELATED ITEMS	220.28	3,743.63	3,200.00	543.00	3,200.00
401 COMMUNICATIONS	5,858.06	79,624.52	79,800.00	177.00	79,800.00
402 RENTALS	0.00	497.50	500.00	3.00-	500.00
406 OUTSIDE SERVICES	4,568.85	35,506.12	51,900.00	16,394.00-	51,900.00
408 ADVERTISING & PUBLICITY	0.00	101.50	500.00	399.00-	500.00
410 DATA PROCESSING	19,299.52-	139,780.44	106,500.00	33,280.00	106,500.00
412 AUDITOR OF STATE REIMBURS	51,951.52	109,971.58	85,000.00	24,972.00	85,000.00
414 REIMBURSEMENTS TO OTHER A	395.00	25,561.95	46,500.00	20,939.00-	46,500.00
501 EQUIPMENT	9,423.35	130,062.41	181,798.00	51,735.00-	181,798.00
602 OTHER EXPENSES & OBLIGATI	51.22	10,650.22	0.00	10,650.00	0.00
701 LICENSES	0.00	100.00	50.00	50.00	50.00
DIVISION TOTAL	364,725.83	4,645,104.50	5,129,321.00	484,221.00-	5,129,321.00

E92Jul-3

J080C103

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SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 06/30/92

	TOTAL EXPENDITURES 06/01/92 - 06/30/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
4000 PARKS, PRES. & RECREATION DIV.					
101 PERSONAL SERVICES	546,680.04	5,212,732.75	5,573,330.00	360,597.00-	5,573,330.00
202 IN-STATE TRAVEL	6,860.00	62,854.65	84,599.00	21,743.00-	84,599.00
203 STATE VEHICLE OPERATION	12,619.57	184,342.16	192,500.00	8,158.00-	192,500.00
204 STATE VEHICLE DEPRECIATIO	0.00	240,770.00	232,697.00	8,073.00	232,697.00
205 OUT-STATE TRAVEL	53.00	2,503.73	4,415.00	1,911.00-	4,415.00
301 OFFICE SUPPLIES	3,870.90	30,449.17	47,950.00	17,501.00-	47,950.00
302 FACILITY MAINTENANCE SUPP	25,126.05	417,394.34	421,404.00	4,010.00-	421,404.00
303 EQUIPMENT MAINTENANCE SUP	29,636.21	271,219.19	293,750.00	22,530.00-	293,750.00
307 AG., CONSERVATION & HORT S	2,046.56	26,237.20	21,500.00	4,737.00	21,500.00
308 OTHER SUPPLIES	5,921.12	32,939.90	38,694.00	5,754.00-	38,694.00
309 PRINTING & BINDING	7,745.50	20,905.44	32,500.00	11,596.00-	32,500.00
312 UNIFORMS & RELATED ITEMS	1,074.14	41,056.79	52,679.00	11,622.00-	52,679.00
401 COMMUNICATIONS	7,806.85	90,698.51	99,002.00	8,303.00-	99,002.00
402 RENTALS	2,758.25	22,842.95	28,350.00	5,507.00-	28,350.00
403 UTILITIES	31,502.19	373,817.92	378,451.00	4,633.00-	378,451.00
405 PROF & SCIENTIFIC SERVICE	3,072.00	41,622.79	85,055.00	43,432.00-	85,055.00
406 OUTSIDE SERVICES	14,497.60	150,381.10	213,000.00	62,619.00-	213,000.00
408 ADVERTISING & PUBLICITY	176.92	1,227.88	2,050.00	822.00-	2,050.00
410 DATA PROCESSING	776.33	3,849.71	10,000.00	6,150.00-	10,000.00
414 REIMBURSEMENTS TO OTHER A	0.00	16,467.05	5,500.00	10,967.00-	5,500.00
501 EQUIPMENT	4,639.33	98,825.63	131,000.00	32,174.00-	131,000.00
602 OTHER EXPENSES & OBLIGATI	17.74	45,628.10	2,700.00	42,928.00	2,700.00
701 LICENSES	2,000.00	2,105.00	1,498.00	607.00	1,498.00
DIVISION TOTAL	708,880.30	7,390,871.96	7,952,624.00	561,750.00-	7,952,624.00

	TOTAL EXPENDITURES 06/01/92 - 06/30/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
5000 FORESTRY DIVISION					
101 PERSONAL SERVICES	120,790.85	1,635,065.81	1,962,174.00	327,108.00-	1,962,174.00
202 IN-STATE TRAVEL	2,086.76	32,396.50	50,939.00	18,545.00-	50,939.00
203 STATE VEHICLE OPERATION	5,348.39	76,586.83	75,000.00	1,586.00	75,000.00
204 STATE VEHICLE DEPRECIATIO	0.00	106,440.00	109,580.00	3,140.00-	109,580.00
205 OUT-STATE TRAVEL	37.72	1,584.31	3,000.00	1,416.00-	3,000.00
301 OFFICE SUPPLIES	1,944.12	26,507.92	20,900.00	5,608.00	20,900.00
302 FACILITY MAINTENANCE SUPP	1,153.38	40,050.23	38,500.00	1,550.00	38,500.00
303 EQUIPMENT MAINTENANCE SUP	2,918.79	48,383.44	58,100.00	9,717.00-	58,100.00
307 AG., CONSERVATION & HORT S	3,756.55	200,106.45	89,223.00	110,884.00-	89,223.00
308 OTHER SUPPLIES	279.83	43,973.55	49,500.00	5,525.00-	49,500.00
309 PRINTING & BINDING	3,664.15	11,792.25	16,400.00	4,608.00-	16,400.00
312 UNIFORMS & RELATED ITEMS	1,365.64	13,198.22	16,100.00	2,901.00-	16,100.00
401 COMMUNICATIONS	3,412.77	34,740.12	34,800.00	60.00-	34,800.00
402 RENTALS	4,830.34	34,193.12	30,000.00	4,193.00	30,000.00
403 UTILITIES	2,130.62	28,337.30	32,500.00	4,163.00-	32,500.00
405 PROF & SCIENTIFIC SERVICE	0.00	1,338.25	76,000.00	74,662.00-	76,000.00
406 OUTSIDE SERVICES	7,345.78	47,222.72	40,500.00	6,723.00	40,500.00
408 ADVERTISING & PUBLICITY	0.00	1,740.82	900.00	841.00	900.00
410 DATA PROCESSING	351.60	2,012.14	1,100.00	912.00	1,100.00
501 EQUIPMENT	1,225.24	100,224.78	152,043.00	51,817.00-	152,043.00
602 OTHER EXPENSES & OBLIGATI	0.00	8,381.00	0.00	8,381.00	0.00
DIVISION TOTAL	162,642.53	2,494,275.76	2,857,259.00	362,984.00-	2,857,259.00

	TOTAL EXPENDITURES 06/01/92 - 06/30/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
6000 ENERGY & GEOLOGICAL RESOURCES					
101 PERSONAL SERVICES	167,969.54	2,163,625.07	2,434,505.00	270,876.00-	2,434,505.00
202 IN-STATE TRAVEL	1,810.73	27,656.62	52,454.00	24,798.00-	52,454.00
203 STATE VEHICLE OPERATION	1,308.23	21,412.99	26,000.00	4,587.00-	26,000.00
204 STATE VEHICLE DEPRECIATIO	2,445.00	26,895.00	29,700.00	2,805.00-	29,700.00
205 OUT-STATE TRAVEL	2,067.11	12,038.45	16,850.00	4,811.00-	16,850.00
301 OFFICE SUPPLIES	681.19	17,807.78	15,629.00	2,180.00	15,629.00
302 FACILITY MAINTENANCE SUPP	0.00	196.53	1,350.00	1,154.00-	1,350.00
303 EQUIPMENT MAINTENANCE SUP	540.66	9,689.22	18,500.00	8,811.00-	18,500.00
304 PROF. & SCIENTIFIC SUPPL	0.00	16,828.37	27,000.00	10,173.00-	27,000.00
308 OTHER SUPPLIES	1,824.93	45,883.24	39,861.00	6,021.00	39,861.00
309 PRINTING & BINDING	2,107.00	16,860.78	42,645.00	25,784.00-	42,645.00
401 COMMUNICATIONS	3,037.16	35,237.07	34,260.00	979.00	34,260.00
402 RENTALS	0.00	2,160.00	2,400.00	240.00-	2,400.00
403 UTILITIES	988.24	12,538.82	13,175.00	636.00-	13,175.00
405 PROF & SCIENTIFIC SERVICE	42,865.14	685,511.71	815,620.00	130,109.00-	815,620.00
406 OUTSIDE SERVICES	8,179.57	56,623.13	30,160.00	26,464.00	30,160.00
408 ADVERTISING & PUBLICITY	0.00	198.85	0.00	199.00	0.00
410 DATA PROCESSING	3,150.16	14,091.57	18,600.00	4,508.00-	18,600.00
414 REIMBURSEMENTS TO OTHER A	0.00	3,217.84	7,090.00	3,872.00-	7,090.00
501 EQUIPMENT	29,252.45	108,642.83	173,157.00	64,514.00-	173,157.00
602 OTHER EXPENSES & OBLIGATI	0.00	16,236.00	0.00	16,236.00	0.00
DIVISION TOTAL	268,227.11	3,293,351.87	3,798,956.00	505,599.00-	3,798,956.00

Environmental Protection Commission Minutes

July 1992

J080C103

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
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7000 ENVIRONMENTAL PROTECTION DIV.					
101 PERSONAL SERVICES	487,441.53	6,172,060.01	6,920,643.00	748,582.00-	6,920,643.00
202 IN-STATE TRAVEL	7,770.41	59,693.53	120,050.00	60,357.00-	120,050.00
203 STATE VEHICLE OPERATION	3,830.65	38,478.05	62,200.00	23,722.00-	62,200.00
204 STATE VEHICLE DEPRECIATIO	5,105.00	53,990.00	66,000.00	12,010.00-	66,000.00
205 OUT-STATE TRAVEL	5,050.45	35,172.02	36,000.00	830.00-	36,000.00
301 OFFICE SUPPLIES	5,796.00	56,873.88	56,750.00	125.00	56,750.00
302 FACILITY MAINTENANCE SUPP	728.00	2,009.87	2,650.00	640.00-	2,650.00
303 EQUIPMENT MAINTENANCE SUP	1,707.15	8,547.18	12,800.00	4,252.00-	12,800.00
304 PROF. & SCIENTIFIC SUPPL	0.00	35.12	1,000.00	965.00-	1,000.00
308 OTHER SUPPLIES	1,227.29	22,189.33	23,475.00	1,286.00-	23,475.00
309 PRINTING & BINDING	2,177.95	34,457.95	44,100.00	9,643.00-	44,100.00
312 UNIFORMS & RELATED ITEMS	0.00	875.44	4,000.00	3,124.00-	4,000.00
401 COMMUNICATIONS	10,778.04	114,176.00	110,700.00	3,476.00	110,700.00
402 RENTALS	3,407.41	52,083.35	55,200.00	3,117.00-	55,200.00
403 UTILITIES	1,030.93	15,175.32	15,100.00	75.00	15,100.00
405 PROF & SCIENTIFIC SERVICE	55,062.62	936,824.89	1,343,568.00	406,743.00-	1,343,568.00
406 OUTSIDE SERVICES	5,761.38	32,460.58	43,470.00	11,008.00-	43,470.00
408 ADVERTISING & PUBLICITY	379.27	4,489.34	11,900.00	7,410.00-	11,900.00
410 DATA PROCESSING	32,057.76	124,442.11	136,240.00	11,799.00-	136,240.00
414 REIMBURSEMENTS TO OTHER A	0.00	19,066.17	26,900.00	7,834.00-	26,900.00
501 EQUIPMENT	72,397.85	358,029.39	685,496.00	327,467.00-	685,496.00
602 OTHER EXPENSES & OBLIGATI	0.00	25,076.00	100.00	24,974.00	100.00
DIVISION TOTAL	701,709.69	8,166,203.53	9,778,342.00	1,612,139.00-	9,778,342.00
8000 FISH AND WILDLIFE DIVISION					
101 PERSONAL SERVICES	920,714.43	10,832,833.59	11,183,655.00	350,824.00-	11,183,655.00
202 IN-STATE TRAVEL	27,232.38	296,062.73	311,671.00	15,608.00-	311,671.00
203 STATE VEHICLE OPERATION	38,124.64	492,268.41	457,959.00	34,306.00	457,959.00
204 STATE VEHICLE DEPRECIATIO	59,415.00	660,425.00	713,260.00	52,835.00-	713,260.00
205 OUT-STATE TRAVEL	584.18	19,006.34	28,000.00	8,992.00-	28,000.00
301 OFFICE SUPPLIES	8,535.81	261,826.47	188,120.00	73,705.00	188,120.00
302 FACILITY MAINTENANCE SUPP	26,902.72	224,938.33	336,744.00	111,805.00-	336,744.00
303 EQUIPMENT MAINTENANCE SUP	36,885.50	342,117.01	349,652.00	7,536.00-	349,652.00
307 AG. CONSERVATION & MORT S	46,328.82	258,816.94	321,197.00	62,378.00-	321,197.00
308 OTHER SUPPLIES	19,721.00	115,840.43	84,058.00	31,782.00	84,058.00
309 PRINTING & BINDING	17,708.76	74,587.78	150,776.00	76,189.00-	150,776.00
312 UNIFORMS & RELATED ITEMS	4,141.56	120,928.84	121,821.00	893.00-	121,821.00
401 COMMUNICATIONS	16,362.69	198,725.40	171,954.00	26,774.00	171,954.00
402 RENTALS	7,121.12	46,971.38	46,492.00	480.00	46,492.00
403 UTILITIES	15,670.48	193,615.15	217,020.00	23,403.00-	217,020.00
405 PROF & SCIENTIFIC SERVICE	10,597.00	110,095.24	139,855.00	29,760.00-	139,855.00
406 OUTSIDE SERVICES	19,652.17	126,225.65	103,330.00	22,898.00	103,330.00
407 INTRA-STATE TRANSFERS	0.00	143,843.00	145,125.00	1,282.00-	145,125.00
408 ADVERTISING & PUBLICITY	60.10	2,626.85	2,550.00	75.00	2,550.00
410 DATA PROCESSING	8,130.95	46,126.64	44,100.00	2,026.00	44,100.00
414 REIMBURSEMENTS TO OTHER A	0.00	129,794.50	139,450.00	9,657.00-	139,450.00
501 EQUIPMENT	23,067.76	242,049.59	312,971.00	70,919.00-	312,971.00
602 OTHER EXPENSES & OBLIGATI	203,295.00	204,428.00	800.00	203,628.00-	800.00
701 LICENSES	15.00	65.00	300.00	235.00-	300.00
DIVISION TOTAL	1,510,267.07	15,144,218.27	15,570,860.00	426,642.00-	15,570,860.00
9000 WASTE MANAGEMENT AUTHORITY					
101 PERSONAL SERVICES	36,819.05	412,615.61	620,719.00	208,104.00-	620,719.00
202 IN-STATE TRAVEL	3,469.34	28,645.34	28,460.00	186.00	28,460.00
205 OUT-STATE TRAVEL	1,464.11	6,739.62	16,000.00	9,259.00-	16,000.00
301 OFFICE SUPPLIES	2,022.78	4,771.77	18,030.00	13,258.00-	18,030.00
303 EQUIPMENT MAINTENANCE SUP	147.50	1,400.08	250.00	1,151.00-	250.00
308 OTHER SUPPLIES	249.13	7,992.52	9,300.00	1,308.00-	9,300.00
309 PRINTING & BINDING	175.30	15,446.00	104,123.00	88,677.00-	104,123.00
401 COMMUNICATIONS	2,050.03	12,705.39	25,300.00	12,594.00-	25,300.00
405 PROF & SCIENTIFIC SERVICE	3,336.35	90,652.25	120,458.00	29,806.00-	120,458.00
406 OUTSIDE SERVICES	36.00	2,328.99	6,950.00	4,623.00-	6,950.00
410 DATA PROCESSING	908.12	4,829.45	5,300.00	472.00-	5,300.00
414 REIMBURSEMENTS TO OTHER A	0.00	10,652.88	17,450.00	6,797.00-	17,450.00
501 EQUIPMENT	1,373.85	28,197.22	25,075.00	3,121.00	25,075.00
602 OTHER EXPENSES & OBLIGATI	0.00	4,518.00	0.00	4,518.00	0.00
DIVISION TOTAL	52,051.56	631,495.12	997,415.00	365,922.00-	997,415.00

Mr. Kuhn noted that salary adjustment data are not yet available but it is estimated that 85-90 % will come from general funds. He related that the department does not anticipate any further layoffs. Mr. Kuhn stated that staff recently received instructions for FY 94-95 budget preparation and the plan is to continue budget action with the understanding that any substantial changes would be incorporated in the Governor's recommendation. He asked the Commission to provide their input on the budget to the Director.

Charlotte Mohr asked how many FTE positions are vacant for DNR.

Mr. Kuhn replied that there are approximately 60-65 vacant FTE positions department wide.

INFORMATIONAL ONLY

IOWA ASSOCIATION OF MUNICIPAL UTILITIES CONTRACT

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The Environmental Protection Commission is requested to approve a contract with the Iowa Association of Municipal Utilities for an amount not to exceed \$35,000. The \$35,000 comes from a special grant provided by the United States Environmental Protection agency for this purpose. No state money is involved. The goal is to provide a non-technical educational opportunity for local decision makers that will enhance their ability to make informed decisions regarding the operations of their public water supply system.

To obtain the federal funds, the Department worked with the Iowa Association of Municipal Utilities, Iowa Rural Water Association, and Iowa Section American Water Works Association to develop the grant proposal. The Department and the associations agreed to have the Iowa Association of Municipal Utilities be the lead association for the project.

The project and the scope of work for the contract include the development and distribution of a ten to fifteen minute video tape, resource guidebook including worksheets, reference materials and program follow-up survey sheet. The target audiences for this project are local decision makers including city council members and water board members. Copies of the materials will be provided to cities and organizations that express an interest. The groups that have already expressed an interest are: Iowa Assoc. of Regional Councils, Iowa Section American Water Works Assoc., Iowa State Assoc. of Counties, League of Iowa Municipalities, Iowa Assoc. of Municipal Utilities, and Iowa Rural Water Assoc.. Copies of materials will be distributed to public water supply systems by the Iowa Association of Municipal Utilities.

The program materials are to be ready for distribution by December 31, 1992 and distributed by May 31, 1993.

(A copy of the contract is on file in the department's Records Center).

Mr. Kuhn explained that the purpose of the grant is to provide 850 videos along with educational materials relative to water supplies.

It was noted that on page 16 of the proposed project outline, the completion date should be 1993 rather than 1992.

Motion was made by Nancylee Siebenmann to approve a contract with the Iowa Association of Municipal Utilities for development and distribution of a video tape, guidebook and reference materials, at a cost not to exceed \$35,000. Seconded by Charlotte Mohr. Motion carried unanimously.

APPROVED AS PRESENTED

SECTION 319 NONPOINT POLLUTION CONTROL PROJECT CONTRACTS

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Commission approval is requested for two contracts which would provide Section 319 funding for implementation of non point source pollution control measures. The contracts and associated projects are described below.

Division of Soil Conservation, Department of Agriculture and Land Stewardship - The contract will provide Section 319 funding for implementation of stream corridor protection projects along North and Middle Bear Creeks and Bigalk Creek in Howard and Winnesheik Counties. The projects eligible for funding are designed to restrict livestock access to the riparian corridor and include stream corridor fencing, alternate livestock water supplies, and stream crossings. Section 319 funds would be used to pay for 100% of the initial cost but cooperating landowners would be required to maintain and operate the installed measures for a period of ten years. The stream corridor protection project is part of a larger, multi-year watershed protection project for these cold water trout streams.

The contract will provide \$20,000 to DSC, who will work with the county Soil and Water Conservation Districts and individual landowners to implement the measures.

Iowa State University Extension - This contract will extend and expand an existing dead animal disposal project contract with ISUE. In addition to extending the existing work of evaluating burial and composting, the project will be expanded to include the development and testing of a prototype rotating composting drum for use with both swine and poultry.

The contract will provide \$33,000 over a two year period to support the project. The Leopold Center has agreed to provide an additional \$26,000 in support of the total project cost of \$80,000.

Mr. Kuhn gave a detailed explanation of each project.

Margaret Prahl asked if the maintenance agreement between the Division of Soil Conservation and the cost-share receiving farmer has any provisions for enforcement in the event of noncompliance over the ten year period. She added that it would be a good idea to have some requirement that the money be reimbursed if they do not live up to their agreement.

Director Wilson stated that staff will address those concerns and possibly add that requirement to the agreement.

Mr. Kuhn explained that it would be a challenge to find all of the funding that is in use for these projects and would be difficult to reimburse. He related that because of the amount of funds, and various funds involved, there probably would not be a serious attempt to recover it.

Motion was made by Margaret Prahl to approve the Section 319 Nonpoint Pollution Control Project contracts for the Division of Soil Conservation and Iowa State University Extension. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Chairperson Yeager announced public participation at 10:30 a.m.; no one requested to speak.

LANDFILL ALTERNATIVES GRANT APPLICATIONS

Teresa Hay, Division Administrator, Waste Management Division, presented the following item.

Forty-two grant applications were received by the first Monday in June 1992, for consideration in the latest round of the Landfill Alternatives Grant program. Funding requests totaled \$6.2 million dollars. Approximately 1.5 million dollars are available for allocation.

A summary of the proposals is attached for the Commission's information. Proposal reviews will be completed by the end of July and awards will be announced by the end of August. The first grant Contracts will come to the Commission for approval in September or October.

LANDFILL ALTERNATIVES GRANTS
Applications Received June, 1992

APPLICATION #1: PRO Cooperative

REQUEST: \$ 61,937

APPLICANT: Private for profit, Jeff Lane, General Manager

DESCRIPTION: To expand farmer cooperative's current newspaper shredding for livestock bedding operation through construction, equipment and labor. Newspaper suppliers are located in Humboldt, Palo Alto and Pocahontas Counties. Coops marketing the product are located in Bradgate, Rolfe, Pioneer, and Gilmore City.

APPLICATION #2: Iowa Veterans Home

REQUEST: \$ 5,395

APPLICANT: State Government, Cordell Harris, Assistant Business Manager

DESCRIPTION: To purchase a waste cardboard baler for recycling cardboard generated by the Iowa Veterans Home in Marshalltown, Marshall County.

APPLICATION #3: Iowa Veterans Home

REQUEST: \$ 3,746

APPLICANT: State Government, Cordell Harris, Assistant Business Manager

DESCRIPTION: To purchase a waste metal can crusher and four (4) containers to collect the waste metal and deliver to site of proposed crusher. The project will serve the Iowa Veterans Home in Marshalltown, Marshall County.

APPLICATION #4: P.H.R. Waste Management

REQUEST: \$ 265,590

APPLICANT: Private for profit, John Pearson, Owner

DESCRIPTION: The Shenandoah, Page County business, will develop, and implement a method of packaging which will decrease the amount of landfilled solid waste and reduce contamination of materials to be recycled. The entire state will be affected by the project.

APPLICATION #5: BES Industrial Services, Inc.

REQUEST: \$ 283,500

APPLICANT: Private for profit, Tom Browser, President

DESCRIPTION: To purchase equipment to assist the facility in washing, grinding and extrusion of plastic film waste. The resulting plastic pellets will then be sold to regional plastic injection and blow molding firms. The facility located in Cedar Rapids, Linn County, will serve eastern Iowa with technology transfer possible.

APPLICATION #6: Holnam Inc.

REQUEST: \$ 300,000

APPLICANT: Private for profit, Garey Kropf, Manager

DESCRIPTION: To develop the capacity to burn tire derived fuel, whole tires and/or tire shreds, representing a 15 to 30% fuel replacement. Grant funds would be applied toward the purchase of cement kiln modifications, equipment and labor. Holnam Inc. is located in Mason City, Cerro Gordo County. Waste tires would be procured statewide.

APPLICATION #7: Rosebar Tire Shredding Center

REQUEST: \$ 300,000

APPLICANT: Private for profit, Eleanor Kaiser, President

DESCRIPTION: To increase productivity of existing operations through equipment changes to handle increasing influx of waste tires, reduce waste and improve marketability of the facility's products and expand markets for their waste tire by-products. Facility is located in Vinton, Benton County, and will service 40 counties of eastern Iowa.

APPLICATION #8: Bacon Recycling

REQUEST: \$ 170,550

APPLICANT: Private for profit, Curtis Bacon, Vice President

DESCRIPTION: The Hopkinton firm, Delaware County, will purchase equipment for the production of densified refuse derived fuel (dRDF) from non-recyclable paper and cardboard. Materials would be obtained from Delaware County and portions of Clayton, Dubuque, Jones and Linn Counties.

APPLICATION #9: Brief Encounters Laundry Service

REQUEST: \$ 141,673

APPLICANT: Private for Profit, Pamela Berg, Co-Owner

DESCRIPTION: To establish a laundry service for institutionalized adults (nursing homes, hospitals and other facilities) located in Storm Lake, Buena Vista County, and will serve a rural 6 county area including Buena Vista, Calhoun, Sac, Ida, Pocahontas, and Cherokee Counties.

APPLICATION #10: Beyond Recycling, Inc.

REQUEST: \$ 300,000

APPLICANT: Mark Smith, President

DESCRIPTION: To equip a tire recycling and collection center, located south of the City of Leon in Decatur County, with a 1,000 per day tire recycling machine. The facility will provide collection and drop off services of used tires and parts of tires to be used as a source of energy to manufacture ethanol. The remaining steel will be sold to scrap dealers. The facility will serve the southern half of the state.

APPLICATION #11: Great River Regional Waste Authority

REQUEST: \$ 257,185

APPLICANT: Local Government, Ron Mace, Solid Waste Program Director

DESCRIPTION: To construct a transfer station in Louisa County, expand the existing recycling center in Lee County and to purchase necessary equipment for initiation of additional urban curbside collection, rural drop-off collection and commercial collection in Louisa County and provide additional drop-off containers in rural Lee County. The total project involves Hancock County, Illinois as recommended in the regional comprehensive plan. Project funds requested for Iowa portion only.

APPLICATION #12: Paper Place

REQUEST: \$ 25,000

APPLICANT: Private for profit, Dennis Petersen, President

DESCRIPTION: To open a new business that will chop newspaper into three-inch squares for livestock bedding. The project is located in Benton County and is expected to serve a 50 mile radius of Benton County.

APPLICATION #13: The Paper Shed

REQUEST: \$ 83,408

APPLICANT: Private for profit, Ron and Ken Wright, Owners

DESCRIPTION: To expand an existing paper shredding for livestock bedding facility. The facility is located in the City of Downey in Cedar County, and will serve the counties of Cedar, Muscatine, Johnson, and Scott.

APPLICATION #14: Riverside Pallets

REQUEST: \$ 300,000

APPLICANT: Private for profit, John Hahn, Owner

DESCRIPTION: To construct additional building space, and purchase equipment to grind non-reusable wood pallets into marketable mulch, and animal bedding. The company is located in Riverside, Washington County and will serve a 21 county area of east central and southeastern Iowa.

APPLICATION #15: Back To Earth Recycling

REQUEST: \$ 56,330

APPLICANT: Private for profit, Lynn Detweiler, Owner

DESCRIPTION: To expand existing oil filter recycling business through the purchase of equipment and building construction. The facility is located in North Liberty, Johnson County, and would serve the entire state.

APPLICATION #16: Cerro Gordo County Area Solid Waste Agency (CGCASWA)

REQUEST: \$ 20,000

APPLICANT: Local Government, John Erikson, Director

DESCRIPTION: To staff the fulltime position of Education Program Coordinator. Coordinator would be involved in implementation of education components outlined in the GCGASWA Management Plan and preparing required reports. The position would be located in Mason City, Cerro Gordo County and the education programs would serve all of Cerro Gordo County and 11 cities in other counties.

APPLICATION #17: United States Gypsum Company

REQUEST: \$ 300,000

APPLICANT: Private for profit, Ron Sleight, Plant Manager

DESCRIPTION: To install and operate a waste recovery system adjacent to the existing gypsum board manufacturing plant in Des Moines County. The reclamation process involves shredding and pulverizing gypsum board that does not meet specifications.

APPLICATION #18: Aldan Lane Company

REQUEST: \$ 172,576

APPLICANT: Private for profit, Cloyce Palmer, President

DESCRIPTION: To equip existing facility located in Kalona, Washington County, for the purpose of recycling scrap LDPE and HDPE plastics. The manufacturing process of this waste will produce numerous products. The Maquoketa project will serve central and eastern Iowa and will market products nationwide.

APPLICATION #19: City of Maquoketa

REQUEST: \$ 283,164

APPLICANT: Local Government, Loren Schultz, E.D. Director

DESCRIPTION: For building expansion and purchase of equipment and supplies to recycle PETE, HDPE, vinyl and blowform plastics by processing and manufacturing these materials into 4' by 8' structural plastic sheets suitable for construction and other uses. The project will serve Jackson County and surrounding area.

APPLICATION #20: Rathbun Area Solid Waste Mangement Commission

REQUEST: \$ 112,550

APPLICANT: Local Government, Ralph Alshouse, Chairman

DESCRIPTION: For construction, equipment, supplies and salaries to improve the operation of existing recycling facility in Appanoose County. The project will serve 11 cities within Appanoose County, the City of Seymour in Wayne County and Princeton MO.

APPLICATION #21: City of Mason City

REQUEST: \$ 229,346

APPLICANT: Local Government, City of Mason City, Vic Potter, Director of Public Services

DESCRIPTION: To implement a curbside recycling program for the City of Mason City, Cerro Gordo County, through the purchase of equipment, building construction, education materials, operating expenses, engineering and administrative costs.

APPLICATION #22: Webster County Solid Waste Commission

REQUEST: \$ 21,205.20

APPLICANT: Local Government, Gary Schmidt

DESCRIPTION: To implement a paper collection service for area businesses for recycling based on the pilot program results. The project will serve Webster County, Eagle Grove, Rockwell City, Knierim, Manson, Rutland, Livermore, Renwick and Hardy. Grant

fund would be used for the purchase of equipment, supplies, salaries, and public awareness materials.

APPLICATION #23: City Carton Co., Inc.

REQUEST: \$ 98,000

APPLICANT: Private for profit, John Ockenfels, President

DESCRIPTION: To purchase equipment for the firm's second recycling center in Iowa City, Johnson County. The project will directly or indirectly serve a 140 mile radius from Iowa City. The project will provide for improved sorting of different grades of recyclables thereby increasing the quality of baled materials.

APPLICATION #24: City of Cedar Rapids

REQUEST: \$ 300,000

APPLICANT: Local Governemnt, City of Cedar Rapids, David Hogan, Solid Waste Program Manager

DESCRIPTION: For development of a drop-off recycling center in Cedar Rapids. Grant funds would be used for building construction, equipment, and wages. The project would serve all of Cedar Rapids and surrounding area.

APPLICATION #25: East Central Iowa Council of Governments

REQUEST: \$ 20,019

APPLICANT: Local Governemnt, Council of Government, Michael Singer, Executive Director

DESCRIPTION: To expand the existing budgeted half-time solid waste educator position to full-time for the period of one year. Grant funds would be used for the wages, printing, contract services and postage. The projects of this position are designed to meet the educational needs of the residents of the 6 county region and be supportive of existing and future plans for waste management in the region.

APPLICATION #26: Allamakee County Solid Waste Department

REQUEST: \$ 52,292

APPLICANT: Local Governemnt, Bill Adam, Coordinator

DESCRIPTION: To implement a rural Allamakee County recycling program by providing a trailer in which residents can drop off thier recyclables. Grants funds would be used for construction, equipment and wages.

APPLICATION #27: Joint Application - Great River Regional Waste Authority, Ottumwa-Wapello Solid Waste Commission, Des Moines County Regional Solid Waste Commission.

REQUEST: \$ 50,000

APPLICANT: Local Government, Tom Clark, Coordinator, Ottumwa-Wapello Solid Waste Commission

DESCRIPTION: To develop a regional cooperative structure for marketing, transportation, storage and joint procurement economies of scale. The project will serve Wapello, Davis, Henry, Des Moines, Lee and Louisa Counties plus Hancock County IL. Grant funds would be used for equipment, travel, salaries, and consulting fees.

APPLICATION #28: Youth and Family Enrichment Center

REQUEST: \$ 16,000

APPLICANT: Private not for profit, Teresa Swalla, Director

DESCRIPTION: A youth center before and after school facility is currently providing for recyclable materials in the City of Stuart, Adair and Guthrie Counties. Grant funds would be used for salaries of the recycling coordinator and truck driver. The project would serve Adair County.

APPLICATION #29: Southwest 8 Senior Services, Inc.

REQUEST: \$ 7,737

APPLICANT: Private not for profit, Barbara Blocker, Executive Director

DESCRIPTION: To replace polystyrene meal containers, used in the agency's homebound meals program, with reusable plastic trays. The agency is located in Council Bluffs, Pottawattamie County. The meals program delivers over 8,300 homebound meals

per month serving Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby Counties.

APPLICATION #30: Hawkeye Filter Service

REQUEST: \$ 27,350

APPLICANT: Private for profit, Robert Steffes, Contact Person

DESCRIPTION: To expand existing oil filter recycling business through the purchase of equipment, building construction and advertising materials. The facility is located in Carroll, Carroll County, and would serve the southwest and central portions of the state.

APPLICATION #31: Environmental Exchange

REQUEST: \$ 21,802

APPLICANT: Private for profit, Dan Zody, Project Manager

DESCRIPTION: The Garnavillo, Clayton County, based business proposes to expand the existing newspaper recycling for livestock bedding operations. Grant funds will be utilized in the purchase of equipment. The project will serve Clayton, Allamakee, Winneshiek and Fayette Counties through newspaper collection.

APPLICATION #32: Iowa Gold Distributing

REQUEST: \$ 103, 778

APPLICANT: Private for profit, Bob Walters, Contact Person

DESCRIPTION: To create a collection and compaction satellite facility in Alburnett, Linn County, for used oil filters. The project will serve the entire state. Grant funds will be utilized for equipment and salaries.

APPLICATION #33: Sioux City Utilities Department , Solid Waste

REQUEST: \$ 300,000

APPLICANT: Local Governemnt, John Green, Solid Waste Systems Manager

DESCRIPTION: To assist in the construction, and purchase of equipment, for the Sioux City Regional Reduction, Recycling and Waste Management Center, Woodbury County. The project will serve Woodbury County with services available to the Tri-State area.

APPLICATION #34: VBI Plastics

REQUEST: \$ 130,000

APPLICANT: Private for profit, Norlyn Van Beek, Vice President

DESCRIPTION: To open an extruding plastics facility in Sioux Center, Sioux County. Post-consumer plastics would be purchased from Iowa recyclers, granulated, washed and extruded into dimensional lumber. The project would serve the entire state. Grant funds would be used for building construction and equipment purchases.

APPLICATION #35: Winneshiek County Landfill

REQUEST: \$ 8,052

APPLICANT: Local Government, Clay Arbogast, Manager

DESCRIPTION: To initiate a no charge service at the Winneshiek County Landfill for collection of demolition material where collected materials would be free to those wishing them. The project would serve Winneshiek, Howard, and Clayton Counties. Grant funds would be used for building construction.

APPLICATION #36: Our Own Upholstery/The All-Turner-Tive Landfill

REQUEST: \$ 107,700

APPLICANT: Private for profit, Delbert Turner, Owner

DESCRIPTION: To expand a furniture recycling business in Harlan, Shelby County. Used furniture would be dismantled and rebuilt. Unusable items would be sold to appropriate markets. Grant funds would be utilized for equipment, and wages. The project would serve Audubon, Cass, Shelby, Harrison, Pottawattamie and Crawford Counties.

APPLICATION #37: Mason City Recycling Center Ltd.

REQUEST: \$ 181,100

APPLICANT: Private for profit, Dean Hess, Supervisor

DESCRIPTION: To construct a building expansion and purchase additional equipment in order to expand and increase efficiency of an existing business located in Mason City, Cerro Gordo County. This project would serve the entire state.

APPLICATION #38: Plastic Injection Molders, Inc.

REQUEST: \$ 250,040

APPLICANT: Private for profit, Tom Dillavou, Vice President

DESCRIPTION: To produce plastic tubs made of at least 50 percent recycled plastic to be used in public curbside recycling programs and additionally will be marketed to Iowa businesses. The Fertile, Worth County based facility will utilize grant funds in the purchase of equipment and supplies and for wages. The project will serve the state of Iowa.

APPLICATION #39: Humboldt Workshop Incorporated

REQUEST: \$ 76,437

APPLICANT: Private not for profit, Mary Mulligan, Contact Person

DESCRIPTION: To expand an existing material reclamation facility to include glass, tin cans, and paper located in the City of Humboldt. The project will serve Humboldt County excluding the Cities of Livermore, Renwick, Hardy, and Rutland. Grant funds would be used for the purchase of equipment, supplies, and wages.

APPLICATION #40: Calmar Manufacturing Company, Inc.

REQUEST: \$ 171,272

APPLICANT: Private for profit, Bruce Anderson, President

DESCRIPTION: The Calmar, Winneshiek County business, proposes to construct a building addition and purchase equipment in order to burn its wood wastes from their manufacturing process.

APPLICATION #41: R.L.E. Environmental Services, Inc.

REQUEST: \$ 300,000

APPLICANT: Private for profit, Julie Bartz, Operations Coordinator

DESCRIPTION: To construct a building and purchase equipment allowing the applicant to expand current recycling operations by incorporating a paper recovery and granulating plastics. The Ely, a Linn County, company, would serve the entire state with emphasis on eastern Iowa.

APPLICATION #42: Jacobs Energy Corporation

REQUEST: \$ 300,000

APPLICANT: Private for profit, Perry Jacobs, President and CEO

DESCRIPTION: To develop alternative energy production facility to convert wood waste into electrical power. The Bettendorf, Scott County facility would utilize grant funds for the purchase of equipment and would serve a 100 mile radius of the facility.

Ms. Hay gave a brief explanation of the grant proposals.

Discussion followed regarding an applicant being funded a second time and whether funding a corporation should be based on its size.

Margaret Prahel asked that future grant application lists include the citation for criteria.

Clark Yeager asked that the principal owner of a company be provided on future grant application lists.

INFORMATIONAL ONLY

MIDWEST LOW LEVEL RADIOACTIVE WASTE COMPACT COMMISSION UPDATE

Teresa Hay, Division Administrator, Waste Management Division, presented the following item.

Since the selection of Ohio as host state for the Midwest Interstate Low-Level Radioactive Waste Compact on July 24, 1991, little has occurred within that state. Amendments to the Compact, which would address issues such as shared liability, transportation of waste and selection of the Compact's next disposal site, were identified as an early priority by Ohio and the Commission. While amendment language has been drafted, however, negotiations

between Ohio and the Compact Commission have not been finalized, nor has the proposed amendment language been distributed for review by the other member states.

Ohio has taken no action in developing enabling legislation which is necessary for the state to proceed with siting a disposal facility (whether the state undertakes this action or chooses to have a contractor do so). There have been several bills introduced in the Ohio General Assembly to have Ohio withdraw from the Midwest Compact but none have been successful. To date there is no formal indication as to when enabling legislation may be introduced in the General Assembly or when a siting schedule may be developed. Ohio Governor Voinovich continues to express support for the Compact approach to low-level radioactive waste disposal and indicate that Ohio will fulfill it's obligations to site a compact disposal facility.

On June 19, 1992, the U.S. Supreme Court issued a decision on *New York v. United States*, the first major challenge to the federal low-level radioactive waste law. In brief, the Court determined that a portion of the federal law is unconstitutional but severable from the remainder of the act.

The State of New York, and two New York counties, had challenged the constitutionality of the Low-Level Radioactive Waste Policy Amendments Act of 1985, especially the "take-title" provision. This section provided, in part, if a state or compact region is unable to provide for the disposal of low-level radioactive waste generated in that state or region by January 1, 1996, each state, upon the request of the generator or owner of the waste, shall take title to, possession of and liability for that waste. The Court concluded that this provision exceeds the powers of Congress and is inconsistent with the Tenth Amendment (*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people*).

There remain some uncertainties regarding the application of the Supreme Court decision to the Midwest Compact and its party states. As a result, the Commission approved a resolution at its June meeting directing the Chair and Executive Director, in consultation with Commission Counsel, to take those actions deemed reasonably necessary to resolve those uncertainties.

Ms. Hay reported that the three disposal sites in the United States were scheduled to close their doors to out-of-region waste effective January 1, 1993. However, South Carolina recently voted to keep a facility in Barnwell, S.C., open until January 1, 1996. They have indicated that they will accept out-of-region waste until July 1994. If the Midwest Compact can show that they are making adequate progress toward development of their own facility they will have continued access to the South Carolina facility until 1994. If, as of January 1, 1993, the Midwest Compact has access to the South Carolina facility the compact will receive three million dollars in surcharge rebates from the Department of Energy.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTER 82, WELL CONTRACTOR CERTIFICATION

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

The Environmental Protection Commission will be provided a copy of the proposed rules on Well Contractor Certification. The rules are a result of legislation passed last year that required the department to certify well contractors and that all well services provided after July 1, 1993, must be performed by a certified well contractor. The definition of well contractor includes pump installers. The rules have been developed in consultation with the Well Contractor Council, a seven member council established in the legislation. Key components of the proposed rules are (1) the requirement to be certified by July 1, 1993, (2) two years of experience, (3) renewal of the certificate every two years with the initial certification period of three years, (4) certification fee of \$150 per year as required by the statute, (5) procedures for taking disciplinary action. The draft rules have been circulated by the council to interested organizations such as the Iowa Ground water Association, the Iowa Environmental Health Association, and the Iowa Water Well Association. The comments from the associations have been discussed in the council meeting and incorporated as appropriate.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 445B.105, the Environmental Protection Commission proposes to create a new Chapter 82, "Well Contractor Certification".

The proposed chapter is designed to implement 1991 Iowa Acts, Chapter 224, which requires the Department to establish a well contractor certification program. This legislation requires that the current well contractor registration program (567 - Chapter 37) be replaced with the new certification program on July 1, 1993. The Commission intends to pursue a separate rule making procedure to rescind Chapter 37, and to make other modifications necessary to accomplish this program replacement, at a time closer to July 1, 1993. However, this rule making proceeding is necessary, at this time, to provide well contractors with the opportunity to become certified by July 1, 1993.

Any interested person may file written suggestions or comments on the proposed chapter on or before . Such written materials should be directed to Darrell McAllister, Surface and Groundwater Protection Bureau, Department of Natural Resources, 900 E. Grand, Des Moines, IA 50319; FAX (515)281-8869. Persons who wish to convey their views orally should contact Darrell McAllister at (515)281-8869 by that date.

Persons are also invited to present oral or written comments at the public hearing on at in Des Moines. Those participating will be asked to provide their names and addresses, and to confine their remarks to the subject of the rules.

These rules are intended to implement 1991 Iowa Code Supplement section 455B.190A.

The following chapter is proposed.

CHAPTER 82
WELL CONTRACTOR CERTIFICATION

567 -82.1(455B) Definitions. In addition to the definitions in Iowa Code sections 455B.171 and 455B.190 and 1991 Iowa Code Supplement section 455B.190A, which are hereby adopted by reference, the following definitions shall apply to this chapter.

"Classification" means one of three levels of well contractor certification, designated as either well contractor, pump installer or provisional certified well contractor. All three are referred to as certified well contractor in the following rules unless specifically identified otherwise.

"Continuing education unit (CEU)" means ten contact hours of participation in an organized education experience under responsible sponsorship, capable direction, and qualified instruction.

"Direct charge" means the well contractor at the well site responsible for assuring that the well services are performed as required in 567 - Chapters 38, 39, 43, 49 and 110.

"Water well" means any excavation that is drilled, cored, bored, augured, washed, driven, dug, jetted, or otherwise constructed for the purpose of exploring for groundwater, monitoring groundwater, ~~utilizing the geothermal properties of the ground, or extracting~~ water from or injecting water into the aquifer. "Water well" does not include an open ditch, or drain tiles or an excavation made for obtaining or prospecting for oil, natural gas, minerals, or products mined or quarried.

"Well services" means new well construction, well reconstruction, installation of pitless equipment, or well plugging.

567-82.2(455B) General.

82.2(1) Any well services provided on or after July 1, 1993 shall be performed by a well contractor who has been certified by the department pursuant to this chapter.

82.2(2) Certified well contractors certified as well contractors and provisional certified well contractors are limited to providing new well construction, well reconstruction, and well plugging services. Certified well contractors certified as pump installers are limited to providing installation of pitless equipment and well plugging services. To provide all well services a certified well contractor shall be certified as both a well contractor or

provisional certified well contractor, and a pump installer.

82.2(3) A certified well contractor shall be present at the well site and in direct charge of the well services being performed or provided.

82.2(4) Any person who is responsible for providing well services shall be certified.

82.2(5) A certified well contractor currently certified, may obtain a duplicate certificate upon payment of the same fee as required for renewal of a certificate.

82.2(6) RESERVED

82.2(7) RESERVED

82.2(8) Any certified well contractor who possesses a certificate must report to the department a change in address within 30 days after the change.

82.2(9) RESERVED

567- 82.3(455B) Classification of well contractors.

82.3(1) Classifications. There shall be three classifications of certified well contractors. One is the well contractor, one is pump installer and the other is provisional certified well contractor.

82.3(2) A certified well contractor has met all of the education and experience requirements, has successfully completed the well contractor certification test and has been issued a certificate by the department.

82.3(3) A provisional certified well contractor does not meet all the education or experience requirements for a certified well contractor but does meet the following requirements:

a. Signs a statement on the application form that there is a shortage of certified well contractors in the geographical area of the state in which the well contractor desires to operate;

b. Completes and submits an application documenting at least one year of work experience in well services performed under the direct supervision of a certified well contractor;

c. The application includes a signature of a certified well contractor who employs the applicant for provisional certification. By signing the application the certified well contractor certifies to be jointly liable for violations of the rules regarding well construction, maintenance, or plugging by the provisionally certified well contractor and that the violation is grounds for

suspension or revocation of the certification of the certified well contractor and the provisionally certified well contractor; and

d. Successfully completes the examination.

82.3(3) The provisional certified well contractor shall become a certified well contractor after the provisional certified well contractor submits an application and appropriate fees to the department showing all requirements for the certified well contractor classification have been met. The certificate for a provisional certified well contractor will be issued for one year. The department will issue a well contractor certificate after the one year period and receipt of appropriate fees.

567- 82.4(455B) RESERVED

567 -82.5(455B) RESERVED

567- 82.6(455B) Education and experience requirements.

82.6(1) All applicants shall meet the education and experience requirements as shown below.

CLASSIFICATION	EXPERIENCE	EDUCATION
WELL CONTRACTOR	TWO YEARS	HIGH SCHOOL or GED
PUMP INSTALLER	TWO YEARS	HIGH SCHOOL or GED
PROVISIONAL CERTIFIED WELL CONTRACTOR	ONE YEAR	HIGH SCHOOL or GED

82.6(2) The education requirements do not become effective until July 1, 1998.

82.6(3) RESERVED

82.6(4) RESERVED

567-82.7(455B) Fees.

82.7(1) The examination fee for each examination shall be \$50.

82.7(2) The initial certification fee shall be \$75 for each one-half year or partial one-half year from the date of issuance to June 30, 1996. After July 1, 1996 the certification fee shall be \$75 for each one-half year of a two-year period from the date of issuance to June 30 of even-numbered years.

82.7(3) The penalty fee shall be \$100.

82.7(4) The certification renewal fee shall be \$100.

567-82.8(455B) Examinations.

82.8(1) All persons wishing to take the examination required to become a certified water well contractor shall complete the "Water Well Contractor Certification Examination Application," Form _____ . A listing of dates and locations of examinations is available from the department upon request. The application form requires the applicant to indicate educational background, training and past experience in providing well services. The completed application and the application fee shall be sent to the director and addressed to the department in Des Moines. Application for examination must be received by the department at least 30 days prior to the date of examination.

82.8(2) The director shall designate department personnel to evaluate all applications for examination, certification and renewal of certification. The director will review applications when it is indicated the applicant has falsified information or when questions arise concerning an applicant's qualifications of eligibility for examination or certification.

82.8(3) A properly completed application for examination will be valid for one year from the date the application is approved by the department.

82.8(4) An applicant who does not qualify for examination at the time of application will have the examination fee refunded if the applicant cannot qualify for examination within one year. If the applicant will qualify for a scheduled examination within one year the applicant will be notified when the examination may be taken and the fee will not be refunded.

82.8(5) Upon failure of the first examination, the applicant may be reexamined at the next two scheduled examinations. Upon failure of the third examination, the applicant shall be required to wait a period of 90 days between each subsequent examination.

82.8(6) Upon each reexamination when a valid application is on file, the applicant shall submit to the department the examination fee at least ten days prior to the date of examination.

82.8(7) Failure to successfully complete the examination within one year from the date of approval of the application shall invalidate the application.

82.8(8) Completed examinations will be retained by the director for a period of one year after which they will be destroyed.

82.8(9) Oral examinations.

a. Upon written request by an applicant for certification, the director will consider the presentation of an oral examination on an individual basis when: the applicant has failed the written examination at least three times; the applicant has shown difficulty in reading or understanding written questions but may be able to respond in oral questioning; the applicant is capable of communicating in writing with regard to departmental requirements and inquiries; and the director has received a written recommendation for an oral examination from a department staff member attesting to the operational and performance capabilities of the applicant. The director shall designate department personnel to administer the examination.

b. The exam shall contain practical questions pertaining to groundwater law, well construction, well maintenance, and well abandonment.

567-82.9(455B) Certification.

82.9(1) All applicants for certification shall successfully complete and pass an examination prior to receiving certification.

82.9(2) Application for certification must be received by the department within 30 days of the date the applicant receives notification of successful completion of the examination. All applications for certification shall be made on a form provided by the department and shall be accompanied by the certification fee.

82.9(3) Applications for certification by examination which are received more than 30 days but less than 60 days after notification of successful completion of the examination shall be accompanied by the certification fee and the penalty fee. Applicants who do not apply for certification within 60 days' notice of successful completion of the examination will not be certified on the basis of that examination.

82.9(4) Applicants may appeal a denial of certification pursuant to Chapter 7.

82.9(5) RESERVED.

82.9(6) RESERVED.

567-82.10(455B) Renewals.

82.10(1) Renewal period. All certificates shall expire on June 30 of even-numbered years and must be renewed every two years in order to maintain certification. However the first certification period shall be for three years starting July 1, 1993 and ending June 30, 1996.

82.10(2) Application for renewal will be mailed to all certified well contractors two months prior to the expiration date of their certificates. Application for renewal must be made in accordance with this rule and the instructions on the form in order to renew the certificate for the next two years. Application for renewal of a certificate without penalty must be received by the director or postmarked prior to the expiration of the certificate, and shall be accompanied by the certification renewal fee.

82.10(3) Late application for renewal of a certificate may be made provided that such late application shall be received by the director or postmarked within 30 days of the expiration of the certificate, on forms provided by the department. Such late application shall be accompanied by the penalty fee and the certification renewal fee.

82.10(4) If a certificate holder fails to renew within 30 days following expiration of the certificate, the right to renew the certificate automatically terminates. Certification may be allowed at any time following such termination, provided that the applicant successfully completes an examination. The applicant must then apply for certification in accordance with 82.9(455B).

82.10(5) A certified well contractor may not continue to provide well services after expiration of a certificate without renewal thereof.

82.10(6) Continuing education must be earned during two-year periods beginning on April 1, 1994, and April 1 of even-numbered years thereafter. A certified well contractor must earn two units or twenty contact hours during each two-year period. Newly certified well contractors (previously uncertified) who became certified after April 1 of a two-year period will not be required to earn CEU's until the next two-year period.

82.10(7) Beginning July 1, 1994, and succeeding even-numbered years, only those certified well contractors fulfilling the continuing education requirements before the end of each two-year period (March 31) will be allowed to renew their certificate. The certificate of certified well contractors not fulfilling the continuing education requirements shall expire on June 30 of the applicable biennium.

82.10(8) All activities for which continuing education credit will be granted must be approved by the department, college or university and shall be related to well services, relevant aspects of Iowa groundwater law, well construction, well maintenance, and well abandonment practices which protect groundwater and water supplies.

82.10(9) The director may, in individual cases involving hardship

or extenuating circumstances, grant an extension of time of up to three months within which to fulfill the minimum continuing education requirements. Hardship or extenuating circumstances include documented health-related confinement or other circumstances beyond the control of the certified well contractor which prevent attendance at the required activities. All requests for extensions must be made prior to March 31 of each biennium.

82.10(10) It is the certified well contractor's responsibility to notify the department of the continuing education credit earned during the period. The continuing education credits earned during the period shall be shown on the application for renewal.

82.10(11) A certified well contractor shall be deemed to have complied with the continuing education requirements of this rule during periods that the certified well contractor serves honorably on active duty in the military services, or for periods that the certified well contractor is a resident of another state or district having a continuing education requirement for certified well contractors and meets all the requirements of that state or district for practice there, or for periods that the person is a government employee working as a well contractor and assigned to duty outside of the United States, or for other periods of active practice and absence from the state approved by the director.

567-82.12(455B) Certified Well Contractor Obligations

82.12(1) Submission of records and samples. Each certified well contractor shall submit drilling records and drill cutting samples to the Geological Survey Bureau, Department of Natural Resources, Oakdale Campus, University of Iowa, Iowa City, Iowa 52242 (319)338-1173 as follows:

a. Within 30 days of completion of any water well used as part of a public water supply, well used for withdrawal of water for which a permit is required by rule 50.1(455B) or wells used to monitor groundwater quantity or quality required by the department if so directed by the Geological Survey Bureau, Department of Natural Resources. The certified well contractor must submit the drilling records and samples required by subrule 82.12(2) and (3).

b. Within 30 days of the completion of any water well used as part of a nonpublic water supply or other water wells used to access groundwater.

c. Prior to constructing a water well to be used as part of a nonpublic water supply or other water well used to access groundwater, the certified well contractor must contact the local health department in the county in which the water well is to be located to determine if submittal of drill cutting samples is required.

82.12(2) Drilling Records and Samples. Drilling records and drilling cutting samples must be submitted in the water well driller's notebook and drill cutting sample bags provided by the Geological Survey Bureau, Department of Natural Resources.

82.12(3) Water well log. The water well driller's log shall include the following:

- a. Location and legal description (quarter section, section number, township, range and county).
- b. Reference point for all depth measurements.
- c. Depth at which each significant change of formation occurs.
- d. Depth at which pump is set, the nonpumping and pumping water levels in the well measured from the land surface and the rate and duration the well was pumped.
- e. Identification of the material of which each significant stratum is composed.
- f. Depth at which hole diameters (bit sizes) change.
- g. Normal hole diameter of the well bore.
- h. Total depth of the completed hole.
- i. Depth or location of any lost drilling fluids, drilling materials, or tools.
- j. Casing depth, grouting schedule including materials used and method of placement, description of the well casing and liner pipe.
- k. Description of well screens including diameter, length, material slot sizes, amount of open area, and location in well.
- l. Description of physical and chemical well development activities.

82.12(4) Cutting samples. Drilling cutting samples shall be collected at intervals of five feet and at each pronounced change in geological formation.

82.12(5) Test pumping. Certified well contractors shall provide the requested test pumping data for water wells used as part of a public water supply pursuant to subrule 41.12(2) and for water wells utilized as part of a regulated water use pursuant to subrule 50.6(1).

567- 82.13(455B) Discipline of certified well contractors.

82.13(1) Disciplinary action may be taken against a certified well contractor on any of the grounds specified in 1991 Iowa Code Supplement section 455B.190A, and the following more specific grounds.

a. knowingly making any false statement, representation, or certification on any application, record, report or document required to be maintained or submitted under any applicable permit or rule of the department.

b. failure to renew certification.

c. failure to obtain required continuing education units.

d. failure to submit required records or other reports required under applicable permits or rules of the department; including failure to submit complete records or reports.

e. failure to use reasonable care or judgement or to apply knowledge or ability in performing the duties of a certified well contractor.

f. violation of well construction standards or other requirements contained in 567 - Chapters 38, 39, 48, 49, and 110.

g. failure to advise a person for whom a water well is being drilled or pump installed that a hazardous or potentially hazardous condition has been encountered.

h. knowingly causing or allowing a hazardous or potentially hazardous condition due to well construction or pump installation to exist.

82.13(2) Disciplinary sanctions allowable are:

a. Revocation of a certificate.

b. Revocation or suspension of the practice of a particular aspect of the contractors responsibility.

c. Probation under specified conditions relevant to the specific grounds for disciplinary action. Additional education or training, or reexamination may be required as a condition of probation.

82.13(3) Procedure.

a. The director shall initiate disciplinary action. The commission may direct that the director investigate any alleged factual situation that may be grounds for disciplinary action under 82.13(1), and report the results of the investigation to the commission.

b. A disciplinary action may be prosecuted by the director.

c. Written notice by certified mail shall be given to a certified well contractor against whom disciplinary action is being considered, at least 20 days in advance, that an informal hearing before the commission at a specific date, time and place has been scheduled for the certified well contractor, at which the commission will determine whether a formal hearing is warranted or whether informal resolution can be reached. The certified well contractor may present any relevant facts and indicate the certified well contractor's position in the matter.

d. A certified well contractor who receives notice of informal hearing shall communicate verbally or in writing or in person with the director and efforts shall be made to clarify the respective positions of the certified well contractor and director. The staff may then come with a recommendation to the commission at the informal hearing concerning disciplinary sanction.

e. Failure to attend the informal hearing or otherwise communicate facts and position relevant to the matter by the scheduled date will be considered by the commission when determining whether a formal hearing is warranted.

f. If agreement as to appropriate disciplinary sanction, if any, can be reached with the certified well contractor and the commission concurs, a written stipulation and settlement between the department and the certified well contractor shall be entered. The stipulation and settlement shall recite the basic facts and violations alleged, any facts brought forth by the certified well contractor and the reasons for the particular sanctions imposed.

g. If the commission determines that no disciplinary action is warranted on the facts asserted, the certified well contractor shall be notified of the decision in writing.

h. If the commission determines that an opportunity for formal hearing is required to impose any disciplinary sanction specified in 82.13(2), the director shall proceed in accordance with chapter 7.

567- 82.14(455B,258A) Revocation of certificates.

Upon revocation of a certificate in accordance with the authority provided in 1991 Iowa Code Supplement section 455B.190A, application for certification may be allowed after two (2) years from the date of revocation. Any such applicant must successfully complete an examination and be certified in the same manner as a new applicant.

These rules are intended to implement Iowa Code section 455B.187 and 1991 Iowa Code Supplement section 455B.190A.

Mr. McAllister gave an explanation of the proposed rules.

Brief discussion followed.

Clark Yeager asked how many people this rule will affect.

Mr. McAllister responded that there are 500-600 well contractors registered who could be affected by the rules.

INFORMATIONAL ONLY

FINAL RULE--CHAPTER 61, STREAM USE DESIGNATION - PHASE IV

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

The Commission is requested to approve the attached rule amendments which would amend stream use designations in Chapter 61, Water Quality Standards. This rule making action is a continuation of the stream use designation activities and field assessments of Iowa streams. The additions and amendments to the rules would:

Establish new stream use designations and applicable low flows for water bodies that have recently undergone field assessments.

Correct typographical errors noted on several of the stream use designations from Rounds I, II and III.

Modify the existing use designation for one stream as a result of more recent field and low flow data.

Five public hearings were conducted and written comments were accepted through June 19, 1992. No testimony was presented at the hearings nor were any written comments received.

If approved, it is anticipated the rules would become effective in September.

(Rule is shown on the following 17 pages)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Adopted and Filed

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission for the Department of Natural Resources amends Chapter 61, "Water Quality Standards," Iowa Administrative Code.

The amendment, as adopted by the Environmental Protection Commission at its July 20, 1992 meeting, establishes designated uses for various water bodies for the purpose of applying existing surface water quality criteria, reclassifies the existing use designation for a stream, corrects typographical errors, and revises the publication date on a rule referenced document, "Iowa Water Quality Standards: Protected Flows For Selected Stream Segments."

A Notice of Intended Action was published on May, 13, 1992, as ARC 3004A. Public hearings were held on June 4, 1992 in Centerville and Red Oak, on June 5, 1992 in Orange City, and on June 8, 1992 in Des Moines and Iowa City. No oral or written comments were received during the public comment period. The final rule has not been changed from the notice.

These rules are intended to implement Iowa Code chapter 455B, division III, part I. These rules become effective September 23, 1992, after filing with the Administrative Rules Coordinator and publication in the Iowa Administrative Bulletin.

ITEM 1. Amend subrule 61.2(5), first unnumbered paragraph to reflect the revised date for the rule referenced document as follows:

All minimum flows established under the provisions of this rule will be published ~~annually~~ by the department. The minimum flows, commonly termed protected flows, are presented in "Iowa Water Quality Standards: Protected Flows For Selected Stream Segments", dated ~~September 24, 1991~~ February 25, 1992. A copy of this document is available upon request from the department. A copy is also on file with the Iowa Administrative Rules Coordinator.

ITEM 2. Insert the following into subrule 61.3(5)"e" in its natural sequence or hydrological order:

Iowa Water Quality Standards
Water Use Designations

	A	B (UW)	B (LR)	B (LU)	B (CU)	C	NO	NOR
<u>Indian Cr.</u>								
6. Mouth (S7, T92N, R48W, Plymouth Co.) to confluence with an unnamed tributary (S33, T94N, R47W, Sioux Co.)				X				
<u>Simile Cr.</u>								
7. Mouth (S28, T94N, R48W, Sioux Co.) to confluence with an unnamed tributary (S19, T95N, R48W, Sioux Co.)				X				
<u>ROCK RIVER BASIN</u>								
<u>Unnamed Cr.</u>								
8. Mouth (S5, T94N, R47W, Sioux Co.) to confluence with an unnamed tributary (S29, T97N, R47W, Sioux Co.)				X				
<u>Unnamed Cr.</u>								
9. Mouth (S26, T97N, R47W, Sioux Co.) to confluence with an unnamed tributary SW 1/2, S1K, T97N, R47W, Sioux Co.) (Big Sioux River Basin)				X				
<u>Unnamed Cr.</u>								
10. Mouth (S16, T98N, R48W, Lyon Co.) to confluence with an unnamed tributary (S22, T98N, R48W, Lyon Co.)				X				

Iowa Water Quality Standards
Water Use Designations

6.

WESTERN IOWA RIVER BASINS

Western Iowa River Basins (Missouri, Big Sioux, and Little Sioux Rivers)

The streams or stream segments named below in alphabetical order are referenced within the Water Use Designations for Western Iowa River Basins. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

- Broken Kettle Cr. - 6
 Bull Run - 5
 Indian Cr. - 6
 Lake Minnau water intake structure - 2a
 Perry Cr. - 3
 Plum Cr. - 1

	A	B (UW)	B (LR)	B (LU)	B (CU)	C	NO	NOR
<u>Plum Cr.</u>								
1. Mouth (S6, T69N, R43W, Fremont Co.) to confluence with an unnamed tributary (S29, T70N, R42W, Fremont Co.)				X				
<u>Waubesaie Cr.</u>								
2. Mouth (S8, T70N, R43W, Fremont Co.) to confluence with an unnamed tributary (S25, T71N, R43W, Mills Co.)				X				
<u>Lake Minnau water intake structure</u>								
2a. Intake near the Norfolk and Western Railroad crossing in the middle of S7, T74N, R43W, Pottawattamie Co.)				X				
<u>Perry Cr.</u>								
3. Mouth (S32, T69N, R47W, Woodbury Co.) to confluence with an unnamed tributary (S35, T91N, R47W, Plymouth Co.)				X				
<u>Broken Kettle Cr.</u>								
4. Mouth (S7, T90N, R48W, Plymouth Co.) to confluence with an unnamed tributary (S19, T92N, R47W, Plymouth Co.)				X				
<u>Bull Run</u>								
5. Mouth (S25, T92N, R48W, Plymouth Co.) to confluence with an unnamed tributary (S29, T92N, R47W, Plymouth Co.)				X				

Iowa Water Quality Standards
Water Use Designations

	A	B(CU)	B(LR)	B(LU)	B(CU)	C	HQ	NOR
5. South Fork Charlton R. Mouth (Lake Rathbun) to outfall of Bob White State Park Lake (S4, 168W, R22N, Wayne Co.)								
6. Walker Cr. Mouth (S36, 170W, R20N, Wayne Co.) to confluence with South Fork Walker Br. (SE 1/4, S26, 170W, R20N, Wayne Co.)								
7. Jordan Cr. Mouth (S1, 170W, R21N, Wayne Co.) to confluence with an unnamed tributary (E 1/2, of the NW 1/4, S26, 170W, R21N, Wayne Co.)								
8. Jackson Cr. Mouth (S1, 170W, R21N, Wayne Co.) to confluence with an unnamed tributary (S12, 168W, R21N, Wayne Co.)								
9. W. Jackson Cr. Mouth (S25, 169W, R21N, Wayne Co.) to confluence with an unnamed tributary (S31, 169W, R21N, Wayne Co.)								
10. Unnamed Cr. Mouth (S3, 169W, R21N, Wayne Co.) to confluence with an unnamed tributary (S7, 169W, R21N, Wayne Co.)								
11. Winemile Cr. Mouth (S4, 169W, R22N, Wayne Co.) to confluence with an unnamed tributary (S31, 170W, R22N, Wayne Co.)								
12. Dick Cr. Mouth (S16, 169W, R22N, Wayne Co.) to confluence with an unnamed tributary (NE 1/4, S18, 169W, R22N, Wayne Co.)								
13. Wolf Cr. Mouth (S15, 171W, R21N, Lucas Co.) to confluence with an unnamed tributary (E 1/2, NW 1/4, S8, 170W, R22N, Lucas Co.)								

Iowa Water Quality Standards
Water Use Designations

SOUTHERN IOWA RIVER BASINS

The streams or stream segments named below in alphabetical order are referenced within the Water Use Designations for Southern Iowa River Basins. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

Bluegrass Cr. - 39	Indian Cr. - 53	South Fork Charlton R. - 5
Brush Cr. - 2	Indian Cr. - 62	South Fork R. - 17
Brush Cr. - 14	Jackson Cr. - 8	Steel Cr. - 23
Camp Cr. - 54	Jim Cr. - 65	Tarkio R. - 47
	Johnathan Cr. - 24	Troublesome Cr. - 57
Davis Cr. - 58	Jordan Cr. - 7	Turkey Cr. - 56
Dick Cr. - 12	Jordan Cr. - 64	Twelvemile Cr. - 30
East Branch West Mishabotna R. - 66	Little Cr. - 25	Unnamed Cr. - 3
East Fork Grand R. - 34	Locust Cr. - 20	Unnamed Cr. - 10
East Fork Medicine Cr. - 21	Long Cr. - 29	Walker Br. - 6
East Mishabotna R. - 50	Lotts Cr. - 33	Walnut Cr. - 60, 61
East Kodway R. - 40, 41		Weldon R. - 22
East Platte R. - 38	Middle Platte R. - 39	West Branch Cr. - 32
East Tarkio Cr. - 48	Mill Cr. - 51	West Fork Middle Kodway - 42
Elk Cr. - 28	Winemile Cr. - 11	West Jackson Cr. - 9
Elkhorn Cr. - 55	Worth Cr. - 19	West Mill Cr. - 46
Farm Cr. - 63	Packard Cr. - 1	West Kodway R. - 43, 44
Fisher Cr. - 52	Platte R. - 36, 37	West Tarkio Cr. - 49
Fivemile Cr. - 15	Severnile Cr. - 45	Wolf Cr. - 13
Fourmile Cr. - 31	Shoal Cr. - 16	
Grand R. - 35	South Cr. - 18	
Grand R. (aka Thompson R.) - 26, 27		

	A	B(CU)	B(LR)	B(LU)	B(CU)	C	HQ	NOR
(Charlton R. tributaries)								
1. Packard Cr. Mouth (S8, 167N, R16W, Appanoose Co.) to confluence with an unnamed tributary (S1, 167N, R17W, Appanoose Co.)								
2. Brush Cr. Mouth (S6, 167N, R16W, Appanoose Co.) to confluence with an unnamed tributary (S22, 168W, R17N, Appanoose Co.)								
3. Unnamed Cr. Mouth (S17, 167N, R16W, Appanoose Co.) to confluence with an unnamed tributary (S14, 167N, R16W, Appanoose Co.)								

Iowa Water Quality Standards
Water Use Designations

	A	B(W)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
24. <u>Jonathan Cr.</u> North (S20, T69N, R24W, Decatur Co.) to confluence with Cobsville Cr. (W 1/2, S6, T69N, R24W, Decatur Co.)						X		
25. <u>Little R.</u> Iowa-Missouri State line (Decatur Co.) to Dam at road crossing (SE 1/2, NW 1/4, S30, T69N, R25W, Decatur Co.)						X		
26. <u>Grand R. (aka Thompson R.)</u> Iowa-Missouri State line (Decatur Co.) to confluence with Long Cr. (SW 1/4, S8, T69N, R26W, Decatur Co.)		X						
27. Confluence with Long Cr. (SW 1/4, S8, T69N, R26W to confluence with Ninemile Cr. (Adair Co.)						X		
28. <u>Elk Cr.</u> North (S18, T68N, R25W, Decatur Co.) to confluence with an unnamed tributary (S20, T69N, R27W, Decatur Co.)						X		
29. <u>Lots Cr.</u> North (S8, T69N, R25W, Decatur Co.) to confluence with East Long Creek (S36, T71N, R27W, Clarke Co.)						X		
30. <u>Ninemile Cr.</u> North (S36, T71N, R28W, Union Co.) to confluence with an unnamed tributary (NW 1/4, NE 1/4, S12, T71N, R29W, Union Co.)						X		
31. <u>Fountain Cr.</u> North (S2, T72N, R28W, Union Co.) to confluence with an unnamed tributary (E 1/2, S23, T72N, R28W, Union Co.)						X		
32. <u>West Branch Cr.</u> North (S34, T74N, R29W, Madison Co.) to confluence with an unnamed tributary (E 1/2, S32, T74N, R29W, Madison Co.)						X		
33. <u>Lotts Cr.</u> Iowa-Missouri State line (Ringgold Co.) to confluence with Tuckers Cr. (S12, T67N, R29W, Ringgold Co.)						X		
34. <u>East Fork Grand R.</u> Iowa-Missouri State line (Ringgold Co.) to confluence with Goosebury Cr. (S2, T68N, R29W, Ringgold Co.)						X		

Iowa Water Quality Standards
Water Use Designations

	A	B(W)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
14. <u>Brush Cr.</u> North (S31, T71N, R21W, Lucas Co.) to confluence with an unnamed tributary (SW 1/4, S13, T70N, R22W, Wayne Co.)				X				
15. <u>Elmville Cr.</u> North (S35, T71N, R22W, Lucas Co.) to confluence with an unnamed tributary (S29, T71N, R22W, Lucas Co.)				X				
(Shoal Cr. River Basin)								
16. <u>Shoal Cr.</u> Iowa-Missouri State line (Appanoose Co.) to confluence with an unnamed tributary (S28, T68W, R19W, Appanoose Co.)				X				
17. <u>S. Shoal Cr.</u> Iowa-Missouri State Line (Appanoose Co.) to confluence with North Cr. (W 1/2, S16, T67N, R18W, Appanoose Co.)				X				
18. <u>South Cr.</u> North (S 1/2, S16, T67N, R18W, Appanoose Co.) to confluence with an unnamed tributary (W 1/2, S17, T67N, R18W, Appanoose Co.)				X				
19. <u>North Cr.</u> North (N 1/2, S16, T67N, R18W, Appanoose Co.) to confluence with an unnamed tributary (W 1/2, of SE 1/4, S8, T67N, R18W, Appanoose Co.)				X				
20. <u>Locust Cr.</u> Iowa-Missouri State line (Wayne Co.) to confluence with an unnamed tributary (S15, T67N, R20W, Wayne Co.)				X				
21. <u>East Fork Medicine Cr.</u> Iowa-Missouri State line (Wayne Co.) to confluence with an unnamed tributary (E 1/2, S24, T68W, R22W, Wayne Co.)				X				
22. <u>Melton R.</u> Iowa-Missouri State line (Decatur Co.) to confluence with Mormon Pool (S28, T70N, R24W, Decatur Co.)				X				
23. <u>Steel Cr.</u> North (S 10/11 line, T67N, R24W, Decatur Co.) to confluence with an unnamed tributary (NE 1/4, S11, T68N, R24W, Decatur Co.)				X				

Iowa Water Quality Standards
Water Use Designations

	A	B(UW)	Water Uses			C	HQ	HQR
			B(LB)	B(LU)	B(CU)			
<u>Grand R.</u>								
35. Iowa-Missouri State line (S30, T67N, R31W, Ringgold Co.) to confluence with Crooked Cr. (S9, T68N, R30W, Ringgold Co.)		X						
<u>Platte R.</u>								
36. Iowa-Missouri State line (S28, T67N, R32W, Taylor Co.) to confluence with an unnamed tributary (NE 1/4, S36, T68N, R32W, Taylor Co.)		X						
37. Confluence with an unnamed tributary (NE 1/4, S36, T68N, R32W, Taylor Co.) to confluence with an unnamed tributary (NE 1/4, S16, T72N, R31W, Union Co.)			X					
<u>East Platte R.</u>								
38. Mouth (S9, T70N, R31W, Ringgold Co.) to confluence with Middle Platte R. (S33, T71N, R31W, Union Co.)			X					
<u>Middle Platte R.</u>								
39. Mouth (S33, T71N, R31W, Union Co.) to confluence with East Branch Middle Platte R. (S16, T71N, R31W, Union Co.)			X					
<u>East Wodaway R.</u>								
40. Mouth (S6, T67N, R36W, Page Co.) to confluence with Long Branch (S17/18 line, T70N, R35W, Taylor Co.)		X						
41. Confluence with Long Branch (S17/18 line, T70N, R35W, Taylor Co.) to confluence with Shanghai Cr. (S16, T72N, R32W, Adams Co.)			X					
(Middle Wodaway Tributary)								
<u>West Fork Middle Wodaway</u>								
42. Mouth (S33, T74W, R33W, Adair Co.) to confluence with Rut Cr. (S15, T75N, R33W, Adair Co.)			X					
<u>West Wodaway R.</u>								
43. Mouth (S6, T67N, R36W, Page Co.) to confluence with Threemile Cr. (S35, T74W, R36W, Cass Co.)		X						
44. Confluence with Threemile Cr. (S35, T74W, R36W, Cass Co.) to confluence with Whistlers Branch (S17, T74W, R35W, Cass Co.)			X					
<u>Sezemile Cr.</u>								
45. Mouth (S33, T72N, R36W, Montgomery Co.) to confluence with Fourmile Cr. (S33, T75N, R36W, Cass Co.)			X					

Iowa Water Quality Standards
Water Use Designations

	A	B(UW)	Water Uses			C	HQ	HQR
			B(LB)	B(LU)	B(CU)			
<u>West Hill Cr.</u>								
46. Iowa-Missouri State line to confluence with unnamed tributary (NE 1/4, S12, T67N, R38W, Page Co.)				X				
<u>Tarkio R.</u>								
47. Iowa-Missouri State line (Page Co.) to confluence with East Tarkio Cr. (S9, T68N, R38W, Page Co.)				X				
<u>East Tarkio Cr.</u>								
48. Mouth (S9, T68N, R38W, Page Co.) to confluence with an unnamed tributary (S7, T69N, R37W, Page Co.)				X				
<u>West Tarkio Cr.</u>								
49. Iowa-Missouri State line (Page Co.) to confluence with an unnamed tributary (S9, T69N, R38W, Page Co.)				X				
<u>East Mishnabotna R.</u>								
50. Confluence with Troublesome Cr. (S32, T77N, R35W, Cass Co.) to confluence with an unnamed tributary (E 1/2, NW 1/4, S6, T80N, R34W, Audubon Co.)				X				
<u>Hill Cr.</u>								
51. Mouth (S31, T68W, R41W, Fremont Co.) to confluence with an unnamed tributary (SE 1/4, NW 1/4, S15, T67N, R41W, Fremont Co.)				X				
<u>Fisher Cr.</u>								
52. Mouth (S27, T69N, R40W, Fremont Co.) to confluence with an unnamed tributary (S11/12 line, T68W, R40W, Fremont Co.)				X				
<u>Indian Cr.</u>								
53. Mouth (S17, T75N, R37W, Cass Co.) to confluence with Wolf Cr. (S35, T77N, R37W, Shelby Co.)				X				
<u>Camp Cr.</u>								
54. Mouth (S5/6 line, T77N, R37W, Cass Co.) to confluence with an unnamed tributary (S16, T77N, R37W, Cass Co.)				X				
<u>Elkhorn Cr.</u>								
55. Mouth (S20, T78W, R37W, Shelby Co.) to confluence with an unnamed tributary (S10, T78W, R37W, Shelby Co.)				X				
<u>Turkey Cr.</u>								
56. Mouth (S2, T75N, R37W, Cass Co.) to confluence with Eller Branch (S13, T76W, R36W, Cass Co.)				X				

Iowa Water Quality Standards
Water Use Designations

	A	B(UW)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
65. <u>Jim Cr.</u> Mouth (S30, 177N, R39N, Pottawattamie Co.) to confluence with an unnamed tributary (S33, 177N, R39N, Pottawattamie Co.)				X				
66. <u>East Branch West Wimbabooe R.</u> Mouth (S29, 177N, R39N, Pottawattamie Co.) to confluence with Lone Willow Cr. (S9, 180N, R36N, Audubon Co.)				X				

Iowa Water Quality Standards
Water Use Designations

	A	B(UW)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
57. <u>Troublesome Cr.</u> Mouth (S32, 177N, R34N, Cass Co.) to confluence with Fourmile Cr. (S8, 178N, R34N, Audubon Co.)				X				
58. <u>Davis Cr.</u> Mouth (S4, 178N, R35N, Audubon Co.) to confluence with Honey Cr. (S31, 179N, R34N, Audubon Co.)				X				
59. <u>BLUESASS Cr.</u> Mouth (S14, 179N, R35N, Audubon Co.) to confluence with an unnamed tributary from the West (S24, 180N, R35N, Audubon Co.)				X				
(West Wimbabooe River Basin)								
60. <u>Valiant Cr.</u> Mouth (S8, 169N, R41N, Fremont Co.) to confluence with an unnamed tributary (S30/31 line, 173N, R38N, Montgomery Co.)		X						
61. Confluence with an unnamed tributary (S30/31 line, 173N, R38N, Montgomery Co.) to confluence with an unnamed tributary (S3, 176N, R38N, Cass Co.)				X				
62. <u>Indian Cr.</u> Mouth (S13, 172N, R41N, Mills Co.) to confluence with an unnamed tributary (S26, 172N, R40N, Mills Co.)				X				
63. <u>Farm Cr.</u> Mouth (S9, 173N, R40N, Mills Co.) to confluence with Jordan Cr. (S31, 174N, R39N, Pottawattamie Co.)				X				
64. <u>Jordan Cr.</u> Mouth (S31, 174N, R39N, Pottawattamie Co.) to confluence with Spring Cr. (S4, 174N, R39N, Pottawattamie Co.)				X				

Iowa Water Quality Standards
Water Use Designations

DES MOINES RIVER BASIN

Des Moines River Basin (Lower Des Moines River, Upper Des Moines River, East Fork Des Moines River, Blue Earth River, and Raccoon River Subbasins).

The stream or stream segments named below in alphabetical order are referenced within the Water Use Designations for the Des Moines River Basin. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

- Bear Cr. - 5
Brush Cr. - 6
Chequest Cr. - 1
Little Soap Cr. - 3
Soap Cr. - 2
South Soap Cr. - 6
Sugar Cr. - 10
Unnamed Cr. - 11
Village Cr. - 7
Walnut Cr. - 8, 9

DES MOINES RIVER BASIN

	Water Uses					
	A	B(UW)	B(LR)	B(CU)	C	NR
<u>Chequest Cr.</u>						
1. Mouth (S27, T69N, R10W, Van Buren Co.) to confluence with North Chequest Cr. (S25, T70N, R13W, Wapello Co.)			X			
<u>Soap Cr.</u>						
2. Confluence with Little Soap Cr. (S1, T70N, R13W, Davis Co.) to confluence with an unnamed tributary (U 1/2, NE 1/4, S31, T71N, R16W, Monroe Co.)			X			
<u>Little Soap Cr.</u>						
3. Mouth (S1, T70N, R13W, Davis Co.) to confluence with an unnamed tributary (S21, T71N, R15W, Wapello Co.)			X			
<u>Brush Cr.</u>						
4. Mouth (S3, T70N, R14W, Davis Co.) to confluence with an unnamed tributary (E 1/2, S25, T71N, R15W, Wapello Co.)			X			
<u>Bear Cr.</u>						
5. Mouth (S19, T70N, R14W, Davis Co.) to confluence with an unnamed tributary (E 1/2, S4, T70N, R15W, Davis Co.)			X			
<u>South Soap Cr.</u>						
6. Mouth (S21, T70N, R15W, Davis Co.) to Lake Dan (S29, T70N, R16W, Appanoose Co.)			X			
<u>Village Cr.</u>						
7. Mouth (S9, T71N, R13W, Wapello Co.) to confluence with Sandy Cr. (NW 1/4, S9, T71N, R14W, Wapello Co.)			X			

Iowa Water Quality Standards
Water Use Designations

	Water Uses					
	A	B(UW)	B(LR)	B(CU)	C	NR
(Raccoon River Basin)						
<u>Walnut Cr.</u>						
8. Mouth (S13, T78N, R23W, Polk Co.) to Interstate 35/80 (S13, T79N, R23W, Polk Co.)	X		X			
9. Interstate 35/80 (S33, T79N, R23W, Polk Co.) to confluence with Little Walnut Cr. (SE 1/4, S24, T79N, R24W, Dallas Co.)			X			
<u>Sugar Cr.</u>						
10. Mouth (S26, T78N, R24W, Dallas Co.) to confluence with an unnamed tributary from the West (S8, T78N, R26W, Dallas Co.)			X			
(Middle Raccoon R. Basin)						
<u>Unnamed Cr.</u>						
11. Mouth (S29, T84N, R34W, Carroll Co.) to the northern road crossing on the section line between S24, T84N, R35W and S19, T84N, R34W, Carroll Co.)			X			

Iowa Water Quality Standards
Water Use Designations

IOWA-CEDAR RIVER BASIN

The streams or stream segments named below in alphabetical order are referenced within the Water Use Designations for the Iowa-Cedar River Basin. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

Albee Cr. - 13	Indian Cr. - 16	Otter Cr. - 1
Bear Cr. - 20	Little Mesquite Cr. - 9	Prairie Cr. - 18
Big Cr. - 12	Long Cr. - 2	Pratt Cr. - 22
Blue Cr. - 21	Middle English R. - 4	Simmons Cr. - 14
Deep R. - 5	Mud Cr. - 11	South English R. - 7
Dugout Cr. - 6	Mud Cr. - 19	Squaw Cr. - 17
East Big Cr. - 15	North English R. - 3	Sugar Cr. - 10
	Old Mans Cr. - 8	

	Water Uses				
	A	B (W)	B (LR)	B (LU)	B (CU)
IOWA RIVER SUBBASIN					
(Iowa River Tributaries)					
Otter Cr.					
1. Mouth (S18, T73N, R24, Louisa Co.) to confluence with an unnamed tributary (S4, T73N, R34, Louisa Co.)			X		
Long Cr.					
2. Mouth (S1, T74N, R44, Louisa Co.) to confluence with South Fork Long Cr. (S35, T73N, R64, Washington Co.)			X		
(English R. tributaries)					
North English R.					
3. Mouth (S6, T77N, R17N, Washington Co.) to confluence with an unnamed tributary (SE 1/4, S1, T79N, R16N, Poweshiek Co.)			X		
Middle English R.					
4. Mouth (S20, T78N, R10N, Iowa Co.) to confluence with an unnamed tributary (E 1/8, S24, T78N, R12N, Iowa Co.)			X		
Deep R.					
5. Mouth (S4, T78N, R12N, Iowa Co.) to confluence with an unnamed tributary (SE 1/4, S4, T79N, R14N, Poweshiek Co.)			X		
Dugout Cr.					
6. Mouth (S15, T79N, R14N, Poweshiek Co.) to confluence with an unnamed tributary (SE 1/4, S1, T79N, R14N, Poweshiek Co.)			X		

Iowa Water Quality Standards
Water Use Designations

SKUNK RIVER BASIN

The streams or stream segments named below in alphabetical order are referenced within the Water Use Designations for the Skunk River Basin. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

Buckley Cr. - 6	Middle Cr. - 4
Cedar Cr. - 3	Rock Cr. - 5
Crooked Cr. - 1	
East Fork Crooked Cr. - 2	

	Water Uses				
	A	B (W)	B (LR)	B (LU)	B (CU)
Crooked Cr.					
1. Mouth (S1, T73N, R24, Jefferson Co.) to confluence with East and West Fork Crooked Cr. (S24, T74N, R7N, Washington Co.)			X		
East Fork Crooked Cr.					
2. Mouth (S24, T74N, R7N, Washington Co.) to confluence with Phillips Creek (S8, T73N, R34, Henry Co.)			X		
N. Skunk tributaries					
Cedar Cr.					
3. Mouth (S15, T75N, R12N, Keokuk Co.) to confluence with an unnamed tributary (S34, T76N, R13N, Keokuk Co.)			X		
Middle Cr.					
4. Mouth (S35, T76N, R14N, Mahaska Co.) to Hwy. 146 road crossing at S1, T76N, R16N, Mahaska Co.			X		
Rock Cr.					
5. Mouth (S5, T79N, R17N, Jasper Co.) to Rock Creek Lake Dam (S17, T80N, R17N, Jasper Co.)			X		
S. Skunk tributaries					
Buckley Cr.					
6. Mouth (S27, T77N, R17N, Mahaska Co.) to confluence with the Middle Br. Buckley Cr. (S9, T77N, R17N, Mahaska Co.)			X		

Iowa Water Quality Standards
Water Use Designations

CEDAR RIVER SUBBASIN										Water Uses				
	A	B (W)	B (L)	B (L)	B (L)	C	H	M	R					
<u>Indian Cr.</u>														
16.	Mouth (S30, T83N, R6W, Linn Co.) to confluence with an unnamed tributary (S20, T84N, R6W, Linn Co.)					X								
<u>South Cr.</u>														
17.	Mouth (S29, T83N, R6W, Linn Co.) to confluence with an unnamed tributary (S20, T83N, R6W, Linn Co.)					X								
<u>Prairie Cr.</u>														
18.	Mouth (Linn Co.) To confluence with an unnamed tributary (SE 1/4 of the SW 1/4, S13, T83N, R12W, Benton Co.)					X								
<u>Mud Cr.</u>														
19.	Mouth (S21, T82N, R9W, Benton Co.) to confluence with an unnamed tributary (E 1/2, S7, T82N, R9W, Benton Co.)					X								
<u>Bear Cr.</u>														
20.	Mouth (S21, T84N, R8W, Linn Co.) to confluence with Wildcat Cr. (S5/8 line, T84N, R9W, Benton Co.)					X								
<u>Blue Cr.</u>														
21.	Mouth (S18, T85N, R8W, Linn Co.) to confluence with East Br. Blue Cr. (S7, T85N, R8W, Linn Co.)					X								
<u>Pratt Cr.</u>														
22.	Mouth (S6, T85N, R11W, Benton Co.) to confluence with an unnamed tributary (NE 1/4, S7, T85N, R11W, Benton Co.)					X								

Iowa Water Quality Standards
Water Use Designations

	A	B (W)	B (L)	B (L)	B (L)	C	H	M	R
Water Uses									
South English R.									
7.					X				
Mouth (S6, T77N, R9W, Washington Co.) to confluence with an unnamed tributary (E 1/2, S9, T77N, R13W, Keokuk Co.)									
IOWA RIVER SUBBASIN									
(Iowa R. Tributaries)									
Old Mans Cr.									
8.					X				
Mouth (S27, T78N, R6W, Johnson Co.) to confluence with Hog Run (S6/12 line, T79N, R10W, Iowa Co.)									
(Cedar R. tributaries)									
Little Mosquito Cr.									
9.					X				
Mouth (S19, T78N, R2W, Muscatine Co.) to confluence with an unnamed tributary (S26, T78N, R2W, Muscatine Co.)									
Sugar Cr.									
10.					X				
Confluence with Mud Cr. (S10, T78N, R2W, Muscatine Co.) to confluence with an unnamed tributary (SW 1/4, S4, T80N, R2W, Cedar Co.)									
Mud Cr.									
11.					X				
Confluence with Sugar Cr. (S10, T78N, R2W, Muscatine Co.) to confluence with an unnamed tributary (S5, T78N, R1E, Muscatine Co.)									
Big Cr.									
12.					X				
Confluence with Elbow Cr. (S13, T83N, R6W, Linn Co.) to confluence with E. Big Cr. (S30, T84N, R5W, Linn Co.)									
Albe Cr.									
13.					X				
Mouth (S3N, T83N, R6W, Linn Co.) to confluence with an unnamed tributary (S4, T82N, R5W, Linn Co.)									
Simmons Cr.									
14.					X				
Mouth (S7, T83N, R5W, Linn Co.) to confluence with confluence with an unnamed tributary (S8, T83N, R5W, Linn Co.)									
East Big Cr.									
15.					X				
Mouth (S30, T84N, R5W, Linn Co.) to Hwy. 151 crossing (S27, T84N, R5W, Linn Co.)									

NORTHEASTERN IOWA RIVER BASINS

Northeastern Iowa River Basins (Wapsipinicon River, North Fork Maquoketa River, Turkey River, Volga River, Yellow River, and Upper Iowa River Subbasins).

The streams or stream segments named below in alphabetical order are referenced within the Water Use Designations for Northeastern Iowa River Basins. Reference numbers provided in the alphabetical list correspond to numbered stream segments in the Water Use Designations.

Ames Cr. - 10	Elk Cr. - 76	Roberts Cr. - 98
Bear Cr. - 44	Elk R. - 26	Rock Cr. - 12
Bear Cr. (aka Big Bear Cr.) - 47	Farmers Cr. - 35	Rock Cr. - 23
Bear Cr. - 79	Hazelton Cr. - 22	Sand Cr. - 56
Bear Cr. - 93	Harts Mill Cr. - 24	Sand Hagen Cr. - 61
Beaver Cr. - 28	Hevitt Cr. - 45	Schuchman Cr. - 78
Beaver Cr. 104	Wickory Cr. - 46	Schramling Cr. - 27
Beers Cr. - 48	Money Cr. - 59	Silver Cr. - 53
Brophy Cr. - 8	Money Cr. - 82	Silver Cr. - 100
Bruce Cr. - 63	Johns Cr. - 41	South Cedar Cr. - 73
Brush Cr. - 32	Joles Cr. - 71	South Fork Maquettea R. - 62
Brush Cr. - 91, 92	Kitty Cr. - 51	Spence Cr. - 6
Buck Cr. - 54	Little Turkey R. - 69, 70	Spence Cr. - 67
Buck Cr. - 106	Lost Cr. - 7	Sugar Cr. - 31
Buffalo Cr. - 19	Lytle Cr. - 36	Teepie Cr. - 107
Buncebe Cr. - 38	Mad Cr. - 1	Tuecke Cr. - 747
Calamus Cr. - 14	Maquettea R. - 64	Unamed Cr. - 15
Carlan Cr. - 72	Mill Cr. - 17	Unamed Cr. - 25
Cherry Cr. - 9	Mineral Cr. - 49	Unamed Cr. - 50
Cline Br. - 39	Mink Cr. - 89	Unamed Cr. - 60
Cline Cr. - 52	Mud Cr. - 11	Unamed Cr. - 84
Coffins Cr. - 57	Nagel Cr. - 85	Unamed Cr. - 86
Coulce Cr. - 96	North Br. - 97	Unamed Cr. - 90
Cox Cr. - 83	North Fork Maquettea R. - 34	Unamed Cr. - 94
Crow Cr. - 5	Otter Cr. - 37	Unamed Cr. - 95
Currin Cr. - 42	Otter Cr. - 105	Unamed Cr. - 101
Deep Cr. - 29, 30	Pine Cr. - 2, 3	Unamed Cr. - 102
Deep Cr. - 88	Pleasant Cr. - 65	Unamed Cr. - 103
Dee Cr. - 81	Plum Cr. - 16	Walnut Cr. - 18
Derry Mill Cr. - 99	Plum Cr. - 55	West Branch Buffalo Cr. - 21
Duck Cr. - 4	Plum Cr. - 68	West Branch South Cedar - 75
Duck Cr. - 66	Prairie Cr. - 33	Whitewater Cr. - 40
Durion Cr. - 43	Prairie Cr. - 58	Willow Cr. - 87
East Branch Buffalo Cr. - 20	Rabbit Cr. - 80	Wolf Cr. - 77
		Yankee Run - 13

NORTHEASTERN IOWA RIVER BASINS

**Iowa Water Quality Standards
Water Use Designation**

		A	B(W)	B(LR)	B(LW)	B(CS)	C	HQ	NOA
	<u>Pine Cr.</u>								
2.	Mouth (S21, T77N, R1E, Muscatine Co.) to Old Pine Creek Mill (SE 1/4, S17, T77N, R1E, Muscatine Co.)		X						
3.	Old Pine Creek Mill (SE 1/4, S17, T77N, R1E, Muscatine Co.) to confluence with an unnamed tributary (S26, T78N, R1W, Muscatine Co.)				X				
	<u>Duck Cr.</u>								
4.	Mouth (S27, T78N, R4E, Scott Co.) to confluence with an unnamed tributary (SE 1/4, S16, T78N, R2E, Scott Co.)				X				
	<u>Crow Cr.</u>								
5.	Mouth (S26, T78N, R1W, Scott Co.) to confluence with an unnamed tributary (W 1/2, S30, T79N, R4E, Scott Co.)				X				
	<u>Sponser Cr.</u>								
6.	Mouth (S16, T80N, R5E, Scott Co.) to confluence with an unnamed tributary (S34/35 line, T79N, R4E, Scott Co.)				X				
	<u>Lost Cr.</u>								
7.	Mouth (S15, T80N, R5E, Scott Co.) to confluence with an unnamed tributary (NW 1/4, S7, T79N, R5E, Scott Co.)				X				
	<u>Brody Cr.</u>								
8.	Confluence with Cherry Cr. (S17, T81N, R5E, Clinton Co.) to confluence with an unnamed tributary (S33/34 line, T82N, R5E, Clinton Co.)				X				
	<u>Cherry Cr.</u>								
9.	Mouth (S17, T81N, R5E, Clinton Co.) to confluence with an unnamed tributary (W 1/2, S36, T82N, R4E, Clinton Co.)				X				
	<u>Ames Cr.</u>								
10.	Mouth (S4, T80N, R4E, Clinton Co.) to confluence with an unnamed tributary (S16, T81N, R4E, Clinton Co.)				X				
	<u>Mad Cr.</u>								
11.	Mouth (S12, T80N, R2E, Scott Co.) to confluence with Hickory Cr. (S31, T80N, R2E, Scott Co.)				X				
	<u>Rock Cr.</u>								
12.	Mouth (S35, T81N, R1E, Clinton Co.) to bridge crossing (S2/11 line, T80N, R1W, Cedar Co.)				X				

Mississippi R. Tributaries)

[illegible]

Mad Cr.

1. Mouth (S36, T77N, R1W, Muscatine Co.) to confluence with an unnamed tributary (SE 1/4, S13, T77N, R1W, Muscatine Co.)

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B(UW)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
<u>Rock Cr.</u>								
23. Mouth (S31, T81W, R6E, Clinton Co.) to confluence with an unnamed tributary (S23, T81N, R5E, Clinton Co.)			X					
(Mill Cr. tributary)								
<u>Harts Mill Cr.</u>								
24. Mouth (S15, T81N, R6E, Clinton Co.) to confluence with Little Mill Cr. (S8, T81N, R6E, Clinton Co.)			X					
<u>Unnamed Cr.</u>								
25. Mouth (S17, T82N, R7E, Clinton Co.) to confluence with an unnamed tributary (S11 1/4, S18, T82N, R7E, Clinton Co.)			X					
<u>Elk R.</u>								
26. Confluence with N. Br. Elk R. (S10, T83N, R6E, Clinton Co.) to confluence with an unnamed tributary (S32, T84N, R6E, Jackson Co.)			X					
<u>Schramling Cr.</u>								
27. Mouth (S7, T83N, R7E, Clinton Co.) to confluence with an unnamed tributary (NW 1/4, S6, T83N, R7E, Clinton Co.)			X					
<u>Beaver Cr.</u>								
28. Mouth (S6, T84N, R7E, Jackson Co.) to confluence with an unnamed tributary (S3, T84N, R6E, Jackson Co.)			X					
WAGOKETA RIVER TRIBUTARIES								
<u>Deep Cr.</u>								
29. Confluence with Sugar Cr. (S30, T84N, R5E, Jackson Co.) to confluence with Bear Cr. (S8, T23N, R5E, Clinton Co.)		X						
<u>Sugar Cr.</u>								
30. Confluence with Bear Cr. (S8, T23N, R5E, Clinton Co.) to confluence with Williams Cr. (S33, T83N, R4E, Clinton Co.)			X					
<u>Sugar Cr.</u>								
31. Mouth (S30, T84N, R5E, Jackson Co.) to confluence with an unnamed tributary (S5, T83N, R4E, Clinton Co.)			X					

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B(UW)	B(LR)	B(LU)	B(CU)	C	HQ	HQR
<u>Yocke Run</u>								
13. Mouth (S23, T81W, R1E, Clinton Co.) to confluence with an unnamed tributary (S34, T82N, R1W, Cedar Co.)			X					
<u>Columbia Cr.</u>								
14. Mouth (S13, T81W, R1E, Clinton Co.) to confluence with an unnamed tributary (S9, T81W, R2E, Clinton Co.)			X					
<u>Unnamed Cr.</u>								
15. Mouth (S13, T81W, R1E, Clinton Co.) to confluence with an unnamed tributary (S19, T82N, R2E, Clinton Co.)			X					
<u>Plum Cr.</u>								
16. Mouth (S18, T82N, R1E, Clinton Co.) to confluence with an unnamed tributary (S13, T82N, R1W, Cedar Co.)			X					
<u>Mill Cr.</u>								
17. Mouth (S28, T83N, R1W, Jones Co.) to confluence with an unnamed tributary (S14, T82N, R2W, Cedar Co.)			X					
<u>Walnut Cr.</u>								
18. Mouth (S18, T83N, R2W, Jones Co.) to confluence with White Oak Creek (S19, T83W, R3W, Jones Co.)			X					
<u>Buffalo Cr.</u>								
19. Confluence with an unnamed tributary (S6, T88N, R7W, Buchanan Co.) to confluence with the East and West Branch Buffalo Creeks (S35, T90N, R8W, Buchanan Co.)			X					
<u>East Branch Buffalo Cr.</u>								
20. Mouth (S35, T90N, R8W, Buchanan Co.) to confluence with an unnamed tributary (S34, T91N, R8W, Buchanan Co.)			X					
<u>West Branch Buffalo Cr.</u>								
21. Mouth (S35, T90N, R8W, Buchanan Co.) to confluence with an unnamed tributary (S9, T90N, R8W, Buchanan Co.)			X					
(Otter Cr. Tributary)								
<u>Hazelton Cr.</u>								
22. Mouth (S9, T90N, R9W, Buchanan Co.) to confluence with an unnamed tributary (S2, T90N, R9W, Buchanan Co.)			X					
(Mississippi R. tributaries)								

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B (W)	B (L)	B (CU)	C	HQ	HOR	User Uses
<u>Monokiet R.</u>								
64. Hwy 3 crossing (N line, S24, T91N, R7N, Fayette Co.) to confluence with an unnamed tributary (S11, T91N, R7N, Fayette Co.)				X				
<u>MISSISSIPPI RIVER TRIBUTARIES</u>								
<u>Pleasant Cr.</u>								
65. Mouth (S33, T85N, R5E, Jackson Co.) to confluence with an unnamed tributary (S15, T85N, R4E, Jackson Co.)				X				
<u>Duck Cr.</u>								
66. Mouth (S29, T85N, R5E, Jackson Co.) to confluence with an unnamed tributary (Center, S25, T85N, R4E, Jackson Co.)				X				
<u>Snake Cr.</u>								
67. Mouth (S36, T87N, R4E, Jackson Co.) to confluence with an unnamed tributary (SE 1/4, S33, T87N, R4E, Jackson Co.)				X				
<u>Plum Cr.</u>								
68. Mouth (S23, T91N, R1W, Clayton Co.) to confluence with an unnamed tributary (S26, T91N, R1W, Clayton Co.)				X				
<u>Turkey River Tributaries</u>								
<u>Little Turkey R.</u>								
69. Confluence with White Pine Hollow (S31, T91N, R2W, Clayton Co.) to Clayton-Delaware Co. line.				X				
70. S line S11, T90N, R3W, Delaware Co. to confluence with an unnamed tributary (S 1/2, S15, T90N, R3W, Delaware Co.)				X				
<u>Jules Cr.</u>								
71. Mouth (S1, T91N, R3W, Clayton Co.) to confluence with an unnamed tributary (N 1/2, SW 1/4, S23, T92N, R3W, Clayton Co.)				X				
<u>Carlin Cr.</u>								
72. Mouth (S2, T91N, R3W, Clayton Co.) to confluence with an unnamed tributary (S10, T91N, R3W, Clayton Co.)				X				
<u>S. Cedar Cr.</u>								
73. Mouth (S33, T92N, R3W, Clayton Co.) to S. line (S6, T91N, R3W, Clayton Co.)				X				

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B (W)	B (L)	B (CU)	C	HQ	HOR	User Uses
<u>Silver Cr.</u>								
53. Mouth (S8, T85N, R3W, Jones Co.) to confluence with an unnamed tributary (S10, T85N, R4W, Jones Co.)				X				
<u>Beet Cr.</u>								
54. Mouth (S11, T87N, R4W, Delaware Co.) to confluence with Golden Branch (S11, T87N, R5W, Delaware Co.)				X				
<u>Plum Cr.</u>								
55. Confluence with an unnamed tributary (S24, T89N, R4W, Delaware Co.) to confluence with an unnamed tributary (S8, T89N, R4W, Delaware Co.)				X				
<u>Sand Cr.</u>								
56. Mouth (S9, T88N, R5W, Delaware Co.) to confluence with Todds Cr. (S8, T88N, R5W, Delaware Co.)				X				
<u>Coffins Cr.</u>								
57. Mouth (S19, T89N, R5W, Delaware Co.) to confluence with an unnamed tributary (S29, T89N, R6W, Delaware Co.)				X				
<u>Prairie Cr.</u>								
58. Mouth (S29, T89N, R6W, Buchanan Co.) to confluence with an unnamed tributary (SW 1/4, NW 1/4, S22, T89N, R7W, Buchanan Co.)				X				
<u>Money Cr.</u>								
59. Mouth (S19, T89N, R5W, Delaware Co.) to confluence with Rutherford Branch (S26, T90N, R5W, Delaware Co.)				X				
<u>Unnamed Cr.</u>								
60. Mouth (NW 1/4, SW 1/4, S1, T89N, R6W, Delaware Co.) to confluence with an unnamed tributary (S30, T90N, R5W, Delaware Co.)				X				
<u>Sand Haven Cr.</u>								
61. Mouth (S24, T90N, R6W, Delaware Co.) to confluence with an unnamed tributary (S29, T90N, R6W, Delaware Co.)				X				
<u>South Fork Monokiet River</u>								
62. Mouth (S16, T90N, R6W, Delaware Co.) to confluence with an unnamed tributary (NE 1/4, SW 1/4, S30, T91N, R7W, Fayette Co.)				X				
<u>Brice Cr.</u>								
63. Mouth (S19/30 line, T91N, R6W, Clayton Co.) to confluence with an unnamed tributary (S27, T91N, R7W, Fayette Co.)				X				

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B(UW)	BCLR	B(LU)	B(CU)	C	HQ	HQR
85.	Mable Cr. Mouth (S10, 192N, 86W, Clayton Co.) to confluence with an unnamed tributary (W 1/2, S17, 192N, 86W, Clayton Co.)							
86.	Unnamed Cr. Mouth (S33, 193N, 86W, Clayton Co.) to confluence with an unnamed tributary (S29, 193N, 86W, Clayton Co.)							
87.	Willow Cr. Mouth (S32, 193N, 86W, Clayton Co.) to spring source (S13, 192N, 87W, Fayette Co.)							
88.	Deep Cr. Mouth (S32, 193N, 86W, Clayton Co.) to confluence with an unnamed tributary (S2, 192N, 87W, Fayette Co.)							
89.	Link Cr. Class B cold end (W line, S15, 193N, 87W, Fayette Co.) to confluence with an unnamed tributary (NE 1/4, S8, 193N, 87W, Fayette Co.)							
90.	Unnamed Cr. Mouth (S19, 193N, 86W, Clayton Co.) to confluence with an unnamed tributary (SW 1/4, NE 1/4, S19, 193N, 86W, Clayton Co.)							
91.	Brush Cr. Mouth (S26, 193N, 87W, Fayette Co.) to confluence with Bear Cr. (S8, 192N, 87W, Fayette Co.)							
92.	E line of Section 17, 192N, 87W, Fayette Co. to confluence with an unnamed tributary (S28, 192N, 87W, Fayette Co.)							
93.	Bear Cr. W line Section 6, 192N, 87W, Fayette Co. to confluence with an unnamed tributary (S 1/2, S13, 192N, 88W, Fayette Co.)							
94.	Unnamed Cr. Mouth (S19, 193N, 87W, Fayette Co.) to spring source (S24, 193N, 88W, Fayette Co.)							
95.	Unnamed Cr. Mouth (S18, 193N, 87W, Fayette Co.) to confluence with an unnamed tributary (W 1/2, S18, 193N, 87W, Fayette Co.)							

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B(UW)	BCLR	B(LU)	B(CU)	C	HQ	HQR
76.	Tussock Hollow Mouth (S20, 192N, 83W, Clayton Co.) to confluence with an unnamed tributary (S9, 192N, 83W, Clayton Co.)							
75.	W. Cr. S. Cedar Cr. Mouth (S31, 193N, 83W, Clayton Co.) to confluence with an unnamed tributary (S23, 193N, 84W, Clayton Co.)							
76.	Elk Cr. Confluence with Steeles Branch (S26, 191N, 84W, Clayton Co.) to confluence with an unnamed tributary (NE 1/4, S13, 190N, 84W, Delaware Co.)							
77.	Wolf Cr. Mouth (S23/3 line, 191N, 84W, Clayton Co.) to confluence with an unnamed tributary (S10, 191N, 84W, Clayton Co.)							
78.	Schuchman Br. Mouth (S16, 190N, 84W, Delaware Co.) to confluence with an unnamed tributary (S23, 190N, 84W, Delaware Co.)							
VOLGA RIVER TRIBUTARIES								
79.	Bear Cr. Mouth (S34, 192N, 84W, Clayton Co.) to Class B cold segment (W line, S20, 191N, 84W, Clayton Co.)							
80.	Rabbit Cr. Mouth (S17, 191N, 84W, Clayton Co.) to confluence with an unnamed tributary (NE 1/4, S31, 191N, 84W, Clayton Co.)							
81.	Dee Cr. Mouth (S30, 192N, 84W, Clayton Co.) to confluence with an unnamed tributary (S1, 191N, 85W, Clayton Co.)							
82.	Money Cr. Mouth (S25, 192N, 85W, Clayton Co.) to confluence with an unnamed tributary (second upstream trib. S5, 191N, 85W, Clayton Co.)							
83.	Cox Cr. Mouth (S21, 192N, 85W, Clayton Co.) to confluence with Kleinlein Cr. (S36, 192N, 86W, Clayton Co.)							
(Hewitt Cr. tributary)								
84.	Unnamed Cr. Mouth (S28, 192N, 86W, Clayton Co.) to Spring in Section 34, 192N, 86W, Clayton Co.)							

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B (WD)	B (LR)	B (LU)	B (CU)	C	HQ	NOR
<u>Otter Cr.</u>								
105. Confluence with an unnamed tributary (aka Clovers Cr., S22, T94N, R84, Fayette Co.) to confluence with an unnamed tributary (NW 1/4, S17, T94N, R84, Fayette Co.)			X					
(Mississippi R. Tributaries)								
<u>Black Cr.</u>								
106. West line of S9, T93N, R34, Clayton Co. to confluence with an unnamed tributary (S32, T94N, R34, Clayton Co.)			X					
<u>Yellow R. Subbasin</u>								
<u>Teasle Cr.</u>								
107. Mouth (Allamakee Co.) to U line of Section 11, T97N, R64, Allamakee Co.				X				X

Iowa Water Quality Standards
Water Use Designation

NORTHEASTERN IOWA RIVER BASINS

	A	B (WD)	B (LR)	B (LU)	B (CU)	C	HQ	NOR
<u>Coulee Cr.</u>								
96. Mouth (S31, T93N, R84, Fayette Co.) to confluence with an unnamed tributary (S12, T93N, R94, Fayette Co.)			X					
<u>North Branch</u>								
97. Mouth (S33, T93N, R94, Fayette Co.) to confluence with an unnamed tributary (S8, T93N, R94, Fayette Co.)			X					
<u>Roberts Cr.</u>								
98. Confluence with Howard Cr. to confluence with an unnamed tributary (S8, T93N, R64, Clayton Co.)			X					
<u>Dry Mill Cr.</u>								
99. U line of S9, T93N, R44, Clayton Co.) to confluence with an unnamed tributary (SE 1/4, S5, T93N, R44, Clayton Co.)			X					
<u>Silver Cr.</u>								
100. Mouth (S16, T94N, R54, Clayton Co.) to confluence with an unnamed tributary (S32, T94N, R54, Clayton Co.)			X					
<u>Unnamed Cr.</u>								
101. Mouth (S28, T93N, R54, Clayton Co.) to confluence with an unnamed tributary (S28, T93N, R54, Clayton Co.)			X					
<u>Unnamed Cr.</u>								
102. Mouth (S31, T94N, R54, Clayton Co.) to confluence with an unnamed tributary (NE 1/4, S30, T94N, R54, Clayton Co.)			X					
<u>Unnamed Cr.</u>								
103. Mouth (S27, T94N, R64, Clayton Co.) to confluence with an unnamed tributary (S 1/2, SW 1/4, S31, T94N, R64, Clayton Co.)			X					
<u>Beaver Cr.</u>								
104. Mouth (S19, T94N, R64, Clayton Co.) to dam in S34, T94N, R74, Fayette Co.)			X					

PROPOSED CORRECTIONS TO THE WATER QUALITY STANDARDS CHAPTER 61 TABLE OF STREAM USE DESIGNATIONS

The following are corrections to misprints in the IAC 4/18/90 printing of Chapter 61 table of stream use designations.

WESTERN IOWA RIVER BASIN

Boyer River - 3 Milford Creek (aka Mill Cr.) - 17 Soldier River - 4

	Water Uses					
	A	B(CAU)	B(LR)	B(LW)	B(CU)	NR
5b. Mouth (Plymouth Co.) to confluence with an unnamed tributary (NE 1/4, S1133, T9S, R43, Plymouth Co.)			X			
7. Mouth (Harrison Co.) to Hwy. 3 Cherokee (S26, T9N, R40W, Cherokee Co.)		X	X			
Milford Cr. (aka Mill Cr.)						
17.						

DES MOINES RIVER BASIN

Big Creek - 14 -
Big Creek Lake - 13a, 14a.

	Water Uses					
	A	B(CAU)	B(LR)	B(LW)	B(CU)	NR
2b. Confluence with Little Muskego Cr. (S34, T7N, R16W, Mahaska Co.) to confluence with Little Muskego Cr. (S34, T7N, R16W; an unnamed tributary (NW 1/4, SW 1/4, S27, T7N, R17W, Mahaska Co.)			X			
3g. Mouth (Polk Co.) to confluence with North-Branch-North R. (S33, T7N, R27W; Madison-Es.) County Rd. R63 (S16, T7N, R24W, Warren Co.)		X				
3a. County Rd. R63 (S16, T7N, R24W, Warren Co.) to confluence with Badger Cr. (S33, T7N, R25W, Warren Co.)		X				
3b. Confluence with Badger Cr. (S33, T7N, R25W, Warren Co.) to confluence with North Branch North R. (S33, T7N, R27W, Madison Co.)			X			
5. Center St. Dam in Des Moines to Hwy. 1-80/1-35 (S17, T9N, R24W, Polk Co.)		X				
2b. City of Panora Water Works Intakes						
30. Lake Panorama to Guthrie-Carroll County line Confluence with Miller Branch (S26, T8N, R34W, Carroll Co.)		X				
36a. Guthrie-Carroll Co. line to confluence with Willey Branch (S26, T8N, R34W, Carroll Co.)		X				

ITEM 3. Amend the following entries in subrule 61.3(5)"e" to correct typographical errors.

Mr. McAllister gave a brief explanation of the rules.

Motion was made by Margaret Prah! to approve Final Rule--Chapter 61, Stream Use Designation: Phase IV. Seconded by Charlotte Mohr. Motion carried unanimously.

ADOPTED AS PRESENTED

NOTICE OF INTENDED ACTION--CHAPTER 61, CERTIFICATION OF CORPS OF ENGINEERS REGIONAL PERMITS

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

Commission approval is requested for the attached Notice of Intended Action. The Notice as written would provide Section 401 Water Quality Certification for three Regional Section 404 permits proposed by the Rock Island District of the Corps of Engineers. The Department's water quality standards contained in Chapter 61 of the Commission's rules would be amended to indicate that water quality certification has been granted for the three regional permits.

The Commission recently provided Section 401 water quality certification for 26 Corps Nationwide Section 404 permits. Amendments to Chapter 61 reflecting this action were promulgated and became effective on March 25, 1992. The Regional Permits being proposed are similar to the Nationwide Permits in that they will, if certified, provide blanket Section 404 permit authority for various types of construction activities. However, Regional Permits are limited in geographical coverage and the proposed Regional Permits would only cover activities within the State of Iowa. Regional Permits, like Nationwide Permits are issued for five year periods.

The following proposed Regional Permits would be granted Section 401 water quality certification. Regional Permits 2 and 12 are renewals of existing Regional Permits; Regional Permit 20 would be a new permit and is being proposed at the request of the Soil Conservation Service.

#2 - Authorizes bank stabilization along certain portions of the Des Moines River. Bank stabilization measures so authorized must conform to specifications contained in the permit conditions regarding types of materials, dimensions, etc.

#12 - Authorizes boat launching facilities (i.e., boat ramps). Works covered under this permit must conform to specifications regarding materials and dimensions.

#20 - Authorizes activities performed under the authority of PL 534 and PL 566. PL 566 and PL 534 authorize Federal financial and technical assistance for the planning and construction of watershed protection projects. This regional permit would cover dams, terraces, waterways and various conservation measures constructed under those authorities.

**ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action**

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission for the Department of Natural Resources gives Notice of Intended Action to amend Chapter 61, "Water Quality Standards," Iowa Administrative Code. The amendment provides certification pursuant to section 401 of the federal Clean Water Act (33 U.S.C. section 1341) for three Regional Section 404 permits proposed by the Rock Island District of the United States Army Corps of Engineers. Background information and the specific amendments are presented below.

Any interested person may file written comments on the amendments no later than September 25, 1992. These written comments should be directed to Ralph Turkle, Department of Natural Resources, 900 East Grand Avenue, Des Moines, Iowa 50319-0034, FAX 515/281-8895. Questions or oral comments may be made to Mr. Turkle no later than September 25, 1992, at 515/281-7025. Persons are invited to present written or oral comments at a public hearing on the amendments which will be held on September 11, 1992, 10 a.m., 4th Floor West Conference Room, Wallace State Office Building, 900 East Grand Avenue, Des Moines.

BACKGROUND

The federal Clean Water Act and Iowa Code chapter 455B, Division III, Part 1, prohibit or regulate the discharge of pollutants to waters of the United States or waters of the state. For example, the National Pollutant Discharge Elimination System (NPDES) permit program regulates point source discharges of pollutants. The Section 404 Permit program is a related program administered by the U.S. Army Corps of Engineers to regulate discharges of dredged or fill material into waters of the United States. When an individual applies to the Corps for a 404 permit for regulated activities within Iowa, as part of the process the applicant must obtain a certification from the Department that the activity complies with Iowa's water quality standards. This certification is referred to as "401 certification" since it is required by Section 401 of the Clean Water Act. The Commission recently provided Section 401 water quality certification for 26 Corps Nationwide Section 404 permits.

Nationwide permits are issued for a period of five years and provide Corps authorization to allow activities, that meet specified conditions, to continue with a minimum of governmental interference. The nationwide permits authorize certain structures, discharges, and/or work affecting navigable waters of the United States throughout the nation. The three Regional Permits are similar to Nationwide Permits in that they will, if certified, provide blanket Section 404 permit authority for various types of construction activities. Regional Permits differ in that they are limited in geographical coverage and the Regional Permits would only cover activities within Iowa. Regional Permits are also issued for five year periods.

PROPOSED ACTION

The Department concurs that the three Regional Permits contain conditions and procedures that insure Iowa water quality standards will not be violated. The intended action is to certify the three

Regional Permits. The following lists the applicant, project description and project location for each Regional Permit.

Renewal of Regional Permit 2 for Bank Stabilization on the Des Moines River in the State of Iowa as applied for by the U.S. Army Corps of Engineers. The renewal of the existing regional permit will authorize bank stabilization projects located in and along the Des Moines River except for:

1) Lacey Keosauqua State Park along the right bank of the Des Moines River from the Highway 1 bridge at Keosauqua to the bridge at Pittsburg, Iowa, Des Moines River mile 51.3 - 55.1;

2) Ottumwa, Iowa from the Highway 34 bridge to C.M. St.P. & P.R.R. County Bridge, Des Moines River mile 93.1 - 96.8;

3) Red Rock Dam to Highway 30, Des Moines River mile 142.9 - 253.2; and

4) Shimek State Forest, Holst State Forest, Barley Memorial State Park, Woodmans Hollow State Park, and Dolliver State Park.

Project plans for bank stabilization measures authorized under Regional Permit 2 must conform to general and special conditions regarding types of materials, dimensions, prior notification procedures, etc. and must be designed to result in only minimal adverse cumulative effects on the environment.

Renewal of Regional Permit 12 for Boat Launching Facilities in the State of Iowa as applied for by the U.S. Army Corps of Engineers. This renewal of the existing regional permit will authorize the placement of fill below ordinary high water for boat launching facilities in the State of Iowa. Project plans for boat launching facilities authorized under Regional Permit 12 must conform to general and special conditions regarding types of materials, dimensions, prior notification procedures, etc. and must be designed to result in only minimal disturbance of the bank and the surrounding area.

Regional Permit 20 for Work Performed under PL 534 and PL 566 in Applicable Waters in the State of Iowa as applied for by the United States Department of Agriculture, Soil Conservation Service. This regional permit will authorize activities, such as dams, terraces, waterways and various conservation measures, which are performed periodically under PL 534 and PL 566. PL 534 is a specific authorization for seven counties in the Little Sioux River drainage basin for grade stabilization and some flood prevention activities. PL 566 authorizes small watershed programs throughout Iowa. This regional permit would apply to projects planned in compliance with Principles and Guidelines and National Environmental Policy Act requirements and after review by the various state and federal agencies. Processing the work under the Regional Permit would reduce unnecessary duplication and expedite the review time.

Copies of the regional permits are on file with the Administrative Rules Coordinator.

This notice of intended action does not propose to modify existing, substantive water quality standards, but is intended to define the applicability of existing standards to the Corps regional permits.

This rule is intended to implement Iowa Code Chapter 455B, Division III, Part 1.

Amend subrule 61.2(2) h as follows:

h. This policy shall be applied in conjunction with water quality certification review pursuant to Section 401 of the Act. In the event that activities are specifically exempted from flood plain development permits or any other permits issued by this department in 567--Chapters 70, 71, and 72 the activity will be considered consistent with this policy. Other activities not otherwise exempted will be subject to 567--Chapters 70, 71, and 72 and this policy. United States Army Corps of Engineers (Corps) nationwide permits, 33 CFR 330, Numbers 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 27, 32, 33, 34, 36, 37, 38, and 40, as promulgated November 22, 1991, are certified pursuant to Section 401 of the Clean Water Act. Regional permit numbers 2, 12, and 20 of the Rock Island District of the Corps are also certified. No specific Corps permit or 401 certification is required for activities covered by these permits unless required by the nationwide permit or the Corps, and the activities are allowed subject to the terms of the nationwide and regional permits.

Mr. McAllister gave a detailed explanation of the rules.

Motion was made by Nancylee Siebenmann to approve Notice of Intended Action--Chapter 61, Certification of Corps of Engineers Regional Permits. Seconded by Margaret Prahl. Motion carried unanimously.

ADOPTED AS PRESENTED

MONTHLY REPORTS

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
July 1, 1992

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	SUMMARY OF COMMENTS & RECOMMENDATIONS TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 1 - Conflict of Interest	*8/17/92	*9/16/92	*10/ /92	*10/ /92	*11/16/92	*11/16/92	*12/09/92	*2/13/93
2. Ch. 10 - Administrative Penalties	6/15/92	7/08/92	*8/ /92	-----	*9/14/92	*9/14/92	*10/14/92	*11/18/92
3. Ch. 20, 22-25, 29 - Air Quality Rule Updates	*8/17/92	*9/16/92	*10/ /92	*10/ /92	*11/16/92	*11/16/92	*12/09/92	*2/13/93
4. Ch. 40, 41, 42, 43-Definitions, Water Supplies-Lab Certification/Design and Operation	5/18/92	6/10/92	7/14/92	7/01/92 7/02/92 7/07/92 7/08/92	*8/17/92	*8/17/92	*9/16/92	*10/21/92
5. Ch. 61 - Certification of Corps of Engineers Permits	7/20/92	*8/19/92	*9/ /92	*9/ /92	*10/19/92	*10/19/92	*11/11/92	*12/16/92
6. Ch. 61 - Water Quality Stds.-Phase IV	4/20/92	5/13/92	6/10/92	6/04/92 6/05/92 6/08/92	7/20/92	*7/20/92	*8/19/92	*9/23/92
7. Ch. 82 - Well Contractors Certification	*8/17/92	*9/16/92	*10/ /92	*10/ /92	*11/16/92	*11/16/92	*12/09/92	*2/13/93
8. Ch. 92 - State Revolving Loans for Wastewater Treatment	3/16/92	4/15/92	5/11/92	5/07/92	*8/17/92	*8/17/92	*9/16/92	*10/21/92
9. Ch. 100 & 102 - Permits - Special and Infectious Wastes	1/21/92	2/19/92	3/09/92	3/18/92	7/20/92	*7/20/92	*8/19/92	*9/23/92

*Projected

MONTHLY VARIANCE REPORT						
Month: June, 1992						
No.	Facility	Program	Engineer	Subject	Decision	Date
1.	Iowa Army Ammunition Plant - Des Moines County	Air Quality		Explosives	Approved	06/19/92
2.	Quantum Chemical Corporation - Clinton	Wastewater Operation		Monitoring Frequency	Approved	06/03/92
3.	Jerry Cocklin RV Campsite - Louisa County	Watersupply Construction	MMS Consultants, Inc.	Construction Materials	Approved	06/11/92

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TOPIC: Report of Hazardous Conditions

During the period June 1, 1992 through June 30, 1992, reports of 105 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted below. A general summary and count by field office is attached. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
06/18/92 Warren	A 400 gallon container of D-Red Dye was damaged when it was loaded on a truck. The container began leaking. The material was spilled on I-35 and pooled in a roadside ditch. All of the material was spilled. No injuries or impacts to surface waters were reported.	Overnight Carrier Exp. 5570 NE 17th Des Moines, Iowa	Pooled liquid was pumped up. Contaminated soil was overexcavated and placed in plastic bags. The liquid and soil will be shipped out of state for incineration because this concentrated fungicide is a hazardous waste.
06/09/92 Hamilton	A 55 gallon drum containing concrete cure was left at a truckstop. The drum was damaged and 25 gallons of product spilled onto a concrete drive. The truckstop assumed responsibility for the cleanup.	Touchdown Highway 17 Webster City, Iowa	The product on the driveway and in the drum was absorbed with floor dry. Concrete cure is comprised mainly of petroleum products, so the material was disposed of at the SLF.

NUMBERS IN PARENTHESES REPRESENT REPORTS FOR THE SAME PERIOD IN FISCAL YEAR 1991

Month	Substance Type					Mode				
	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	87(112)	52(69)	4(7)	31(36)	42(70)	2(0)	24(25)	2(1)	0(1)	17(15)
Nov.	83(69)	56(36)	3(11)	22(22)	44(35)	1(0)	22(15)	0(4)	1(1)	13(14)
Dec.	81(85)	47(61)	7(14)	27(10)	40(37)	2(1)	28(23)	2(1)	1(1)	8(22)
Jan.	64(56)	40(31)	6(7)	18(18)	33(35)	0(1)	22(9)	1(1)	0(1)	8(9)
Feb.	61(77)	38(43)	6(7)	17(27)	36(47)	0(1)	19(14)	2(2)	0(2)	4(11)
March	79(82)	40(51)	15(10)	24(21)	50(43)	0(3)	14(17)	1(3)	0(0)	14(16)
April	107(85)	50(46)	35(22)	22(17)	47(36)	3(2)	39(25)	2(1)	0(0)	16(21)
May	141(162)	41(54)	64(67)	36(41)	75(79)	0(3)	49(47)	1(3)	3(0)	13(29)
June	105(116)	58(51)	25(46)	22(19)	51(52)	2(1)	28(42)	2(0)	3(0)	19(21)
July										
August										
Sept.										

Total Number Of
Incidents Per Field
Office This Period:

1	2	3	4	5	6
18	17	17	7	24	22

REPORTS OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of June 1, 1992 through June 30, 1992, the following number of releases from underground storage tanks were identified.

36 (53)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1991.

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Stringtown Country Cafe, Lenox (4)	Drinking Water	MCL - Bacteria	Emergency Order	6/05/92
Lake View Water Supply (3)	Drinking Water	Monitoring/Reporting- Radionuclides	Order/Penalty	6/08/92
Dyersville Golf and Country Club, Dyersville (1)	Drinking Water	MCL - Bacteria	Order/Penalty	6/08/92
Plantation Village Mobile Home Park, Burlington (6)	Drinking Water	MCL - Bacteria	Order/Penalty	6/08/92
Stanford Enterprises, Inc. d/b/a Indian Village, Sac City (3)	Drinking Water	Monitoring/Reporting- Nitrate	Order/Penalty	6/08/92
Crawford County Conservation Board, Nelson Park (4)	Drinking Water	Monitoring/Reporting- Nitrate	Order/Penalty	6/08/92
Pheasant Ridge Pro Shop, Cedar Falls (1)	Drinking Water	Monitoring/Reporting- Nitrate	Order/Penalty	6/08/92
Woodlyn Hills Golf Course, Milford (3)	Drinking Water	Monitoring/Reporting- Bacteria, Nitrate	Order/Penalty	6/08/92
Timberlake Homeowners Assoc., Swisher (6)	Drinking Water	Monitoring/Reporting- Radionuclides; Public Notice	Order/Penalty	6/08/92
Tri Center Community School, Neola (4)	Drinking Water	Monitoring/Reporting- Nitrate; Public Notice	Order/Penalty	6/08/92
Kossuth County Conservation Board-Smith Lake Park (2)	Drinking Water	Monitoring/Reporting- Nitrate; Public Notice	Order/Penalty	6/08/92
Guthrie Grove Church Camp, Guthrie Center (4)	Drinking Water	Monitoring/Reporting- Nitrate; Public Notice	Order/Penalty	6/08/92
Clamond Country Club, Clarion (2)	Drinking Water	Monitoring/Reporting- Nitrate; Public Notice	Order/Penalty	6/08/92
Nita-Ho-Valley, Bellevue (1)	Drinking Water	Monitoring/Reporting- Nitrate	Order/Penalty	6/08/92
Breitback's Tap, Sherrill (1)	Drinking Water	Monitoring/Reporting- Nitrate; Public Notice	Order/Penalty	6/08/92
Nob Hill Supper Club, Decorah (1)	Drinking Water	Monitoring/Reporting- Bacteria, Nitrate; Public Notice	Order/Penalty	6/08/92

Black Coach, Okoboji (3)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/08/92
Onawa Country Club, Onawa (4)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/08/92
Whittemore Country Club, Whittemore (2)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/08/92
The Red Barn Resort, Lansing (1)	Drinking Water	Monitoring/Reporting-	Order/Penalty	6/08/92
Orrie's Supper Club, Inc., Hudson (1)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate; Public Notice	Order/Penalty	6/08/92
American Legion Post 719, Prescott (4)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate; Public Notice	Order/Penalty	6/08/92
Delhi Lakeview Estates, Inc. #1, Waterloo (1)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate; Public Notice	Order/Penalty	6/08/92
Corydon Water Supply (5)	Drinking Water	Monitoring/Reporting-Inorganics, Organics	Order/Penalty	6/08/92
A. Eugene and Martha Grim, Davis County (6)	Flood Plain	Construction Without Permit	Order	6/12/92
Vermeer Manufacturing Co., Pella (5)	Air Quality	Construction Without Permit	Order/Penalty	6/12/92
Dick White, Washington County (6)	Air Quality	Open Burning	Order/Penalty	6/12/92
Lansing, City of (1)	Drinking Water	Monitoring/Reporting-Radioactivity; Public Notice	Order/Penalty	6/12/92
Sloan, City of (3)	Drinking Water	Monitoring/Reporting-Organics, Radioactivity; Public Notice	Order/Penalty	6/12/92
Sunny Brae Golf & Country Club, Osage (2)	Drinking Water	MCL - Bacteria; Public Notice	Order/Penalty	6/12/92
Beaver, City of (5)	Drinking Water	MCL - Other Inorganics Public Notice	Order/Penalty	6/12/92
Williamsburg, City of (6)	Wastewater	Certified Operator	Amended Order	6/12/92
Brenda and Michael Pringle d/b/a Folletts Tap, Camanche (6)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate	Referred to AG	6/15/92
Kenneth Bode, Mills County (4)	Solid Waste	Illegal Disposal	Referred to AG	6/15/92
Tama, City of (5)	Wastewater	Discharge Limits; Operational Violations	Referred to AG	6/15/92
Kirshna A. Birusingh, Crescent (4)	Solid Waste	Illegal Disposal	Referred to AG	6/15/92
Ecology Enterprises, Inc.; Hollis D. DeVoe; Michael Murray; Robert Rausch, Chickasaw County (1)	Solid Waste	Illegal Disposal	Referred to AG	6/15/92
Kenneth Van Hulzen d/b/a Van Hulzen Oil Co., Oskaloosa (5)	Underground Tank	Closure Investigation	Referred to AG	6/15/92
V.R. Dillingham d/b/a Barb's Service, Everly (3)	Underground Tank	Site Check	Referred to AG	6/15/92
George Taylor d/b/a Kent's DX, Onslow (1)	Underground Tank	Closure Investigation	Referred to AG	6/15/92
Leonard Page d/b/a Kent Store, Kent (4)	Underground Tank	Closure Investigation	Referred to AG	6/15/92
Charlie Fox d/b/a Charlie's Standard, Hamburg (4)	Underground Tank	Site Check	Referred to AG	6/15/92
State Center, City of (5)	Wastewater	Compliance Schedule	Amended Order	6/16/92
Frederika Restaurant, Sumner (1)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate	Order/Penalty	6/16/92
Orville Reid, Jr., West Branch (6)	Wastewater	Prohibited Discharge	Order/Penalty	6/16/92
Shirley Pecoy d/b/a Joe's Place, Sexton (2)	Underground Tank	Closure Investigation	Order/Penalty	6/16/92
Marion Stark, Kellerton (4)	Underground Tank	Closure Investigation	Order/Penalty	6/16/92
Braddyville, City of (4)	Underground Tank	Closure Investigation	Order	6/16/92
Pam Fuels, Inc., Milford (3)	Underground Tank	Illegal Deposit	Order/Penalty	6/19/92

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Delwein, City of (1)	Wastewater	Compliance Schedule	Amended Order	6/19/92
Littlefield Recreation Area #1-Ex Of, Audubon (4)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/19/92
Lazy Daz, Melrose (5)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/19/92
Tama County Conservation Board-Otter Creek Park-Well 1 (East) (5)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Tama County Conservation Board-TF Clark Park (5)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Tama County Conservation Board-Otter Creek Park-Well 2 (West) (5)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Stone City General Store, Anamosa (1)	Drinking Water	Operation Without Permit; Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Lee's Resort, Spirit Lake (3)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Flint Hills Municipal Golf Course, Burlington (6)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	6/19/92
Rock Falls Lounge, Rock Falls (2)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate; Public Notice	Order/Penalty	6/19/92
Iowa Oil Co., Dubuque (1)	Underground Tank	Site Assessment	Order/Penalty	6/22/92
Country Estates Development, Cedar Rapids (1)	Drinking Water	Monitoring/Reporting-Radioactivity	Order/Penalty	6/22/92
Dyersville Implement, Inc., Dyersville (1)	Hazardous Condition	Failure to Notify	Order/Penalty	6/23/92
Des Moines YMCA Camp, Boone (5)	Drinking Water	MCL - Bacteria	Emergency Order	6/25/92
Don Smith, Dallas Center (1)	Underground Tank	Closure Investigation	Order	6/29/92
John Prins d/b/a Bradford Implement Co., Bradford (2)	Underground Tank	Closure Investigation	Order	6/29/92
Consolidated Packaging Corp. Ft. Madison (6)	Wastewater	Discharge Limits	Order/Penalty	6/29/92
Cedar Valley FS, Inc., Tripoli	Wastewater	Prohibited Discharge; Remedial Action	Order	6/29/92
John Cahalan, et.al, Cerro Gordo County (2)	Wastewater	Prohibited Discharge; Remedial Action	Order	6/29/92
Scott County Conservation Board-Scott County Park-Inchias (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/29/92
Scott County Conservation Board-Scott County Park-Pool (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/29/92
Scott County Conservation Board-Scott County Park-Nature Center (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/29/92
Scott County Conservation Board-Scott County Park-Whispering Pines (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/29/92
Scott County Conservation Board-Scott County Park-Pine Grove (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	6/29/92
White Oaks Homeowners Assn., Ankeny (5)	Drinking Water	MCL - Bacteria; Public Notice	Emergency Order	6/29/92

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Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Paper Recovery Corporation (Sioux City)	UT	500	1-08-92
Krause Feedlot (Hardin County)	WW	500	1-23-92
Bernard Gavin Veterinary Clinic (Wellsburg)	UT	600	5-02-92
Kris Ehlinger d/b/a K.J.'s Convenience (LeClaire)	UT	600	5-21-92
Best Western Westfield Inn (Coralville)	WS	600	5-23-92
Rocky Nook Resort (Delhi)	WS	475	5-26-92
Meyer Mobile Home Park (Denison)	WS	150	5-31-92
*Tandem Oak Park Associates (Ft. Dodge)	WS	405	6-03-92
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000	6-10-92
Ace Mobile Home Park (Dubuque)	WS	200	6-10-92
Dietrick Mobile Home Park, Inc. (Grundy Co.)	WW	500	7-10-92
*M & D's Chalet (Elgin)	WS	175	7-12-92
Knollridge Garden Apartments (Iowa City)	WS	500	7-13-92
Dyno Oil Company (Spirit Lake)	UT	1,000	7-14-92
*Sleepy Hollow Campground (Oxford)	WW	250	7-15-92
Boomsma's, Inc. (Hardin Co.)	WW	1,000	8-02-92
Casey, City of	WS	200	8-02-92
Centerville, City of	WS	1,000	8-02-92
Verde Water Co./Table Mound/Well #1 (Dubuque)	WS	200	8-03-92
Estherville Golf Club (Estherville)	WS	200	8-05-92
Waste Systems Corp./Ronald Roth (Winnebago Co.)	SW	1,000	8-09-92
Crawford Co. Conserv. Board/Nelson Park	WS	200	8-10-92
Pheasant Ridge Pro Shop (Cedar Falls)	WS	200	8-10-92
Nita-Ho-Valley (Bellevue)	WS	200	8-10-92
Kossuth Co. Conserv. Board/Smith Lake Park	WS	200	8-10-92
Lake View Water Supply	WS	200	8-10-92
Clarmond Country Club (Clarion)	WS	200	8-10-92
Orrie's Supper Club, Inc. (Hudson)	WS	300	8-10-92
American Legion Post 719 (Prescott)	WS	300	8-11-92
Delhi Lakeview Estates, Inc. #1 (Waterloo)	WS	400	8-11-92
Nob Hill Supper Club (Decorah)	WS	400	8-11-92
Breitbart's Tap (Sherrill)	WS	200	8-12-92
Black Coach (Okoboji)	WS	200	8-12-92
Onawa Country Club (Onawa)	WS	200	8-12-92
Plantation Village Mobile Home Park (Burlington)	WS	860	8-12-92
Woodlyn Hills Golf Course (Milford)	WS	215	8-12-92
Corydon, City of	WS	450	8-12-92
Dyersville Golf & Country Club (Dyersville)	WS	500	8-12-92
Dick White (Washington County)	AQ	250	8-15-92
Timberlake Homeowners Assn. (Swisher)	WS	200	8-16-92
Beaver, City of	WS	430	8-17-92
Lansing, City of	WS	200	8-18-92
Frederika Restaurant (Sumner)	WS	265	8-19-92
Sloan, City of	WS	190	8-19-92
Central Paving Corporation (Indianola)	UT	300	8-20-92
Orville Reid, Jr. (Cedar County)	WW	500	8-20-92
Lazy Daz (Melrose)	WS	200	8-23-92
Tama CCB/TF Clark Park	WS	200	8-24-92
Tama CCB/Otter Creek Park Well #1	WS	200	8-24-92
Tama CCB/Otter Creek Park Well #2	WS	200	8-24-92
Flint Hills Municipal Golf Course (Burlington)	WS	200	8-24-92
Iowa Oil Co. (Dubuque)	UT	1,000	8-24-92
Audubon CCB/Littlefield Rec. Area #1	WS	200	8-25-92
Stone City General Store, Inc. (Anamosa)	WS	695	8-26-92
Marion Stark (Kellerton)	UT	300	8-26-92
Country Estates Development (Cedar Rapids)	WS	100	8-26-92
Lee's Resort (Spirit Lake)	WS	200	8-27-92
PAM Fuels, Inc. (Milford)	UT	1,000	8-27-92
Rock Falls Lounge (Rock Falls)	WS	440	8-27-92
Don Stickle and Sons Farms (Linn County)	WW	750	8-30-92
Carson Grain & Implement (Coggon)	UT	1,000	-----
Sunny Brae Golf & Country Club (Osage)	WS	500	-----
Shirley Pecoy d/b/a Joe's Place (Sexton)	UT	300	-----
Dyersville Implement, Inc. (Dyersville)	HC	1,000	-----
Scott CCB-Scott Co. Park-Pine Grove	WS	50	-----
Scott CCB-Scott Co. Park-Whispering Pines	WS	50	-----
Scott CCB-Scott Co. Park-Nature Center	WS	50	-----
Scott CCB-Scott Co. Park-Pool	WS	50	-----
Scott CCB-Scott Co. Park-Incahlias	WS	50	-----

*On Payment Schedule

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Amoco Oil Company (Des Moines)	UT	1,000	8-15-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Fred Varner (Worth County)	SW	950	4-11-91
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	245	5-14-91
Honey Creek Camping Resort (Crescent)	WS	245	6-13-91
Fred R. Thomas/Fred R. Thomas, Jr. d/b/a Clair-View Acres Store (Delhi)	WS	1,000	8-04-91
*M & W Mobile Home Park (Muscatine)	WW	200	8-21-91
Lloyd Dunton (Iowa County)	SW	300	11-07-91
Buffalo Bill Estates, Inc. (Clinton Co.)	WS	440	11-19-91
Vern Starling (Boone Co.)	SW	690	9-15-91
Capitol Oil Co. d/b/a Dakota MHP (Iowa City)	WW	1,000	11-03-91
John Hosch (Jones County)	WW	1,000	12-24-91
Vincent Martinez d/b/a Martinez Sewer (Davenport)	HC	500	1-01-92
Vernus Wunschel d/b/a Wunschel Oil Co. (Ida Grove)	UT	300	1-12-92
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	500	1-25-92
Dilts Trucking, Inc. (Crescent)	UT	500	1-12-92
R. D. Lofton, DVM (Osage)	UT	300	2-12-92
*Todd D. Behounek and Paul Behounek (Tama County)	SW	100	5-21-92
Kenneth Bode (Mills Co.)	SW	300	4-27-92
George Taylor (Onslow)	UT	300	4-05-92
Van Hulzen Oil Company (Oskaloosa)	UT	700	4-27-92
V.R. Dillingham d/b/a Barb's Service (Everly)	UT	600	5-21-92
Charlie Fox d/b/a Charlie's Standard (Hamburg)	UT	600	5-21-92
Leonard Page d/b/a Kent Store (Kent)	UT	300	5-25-92

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
AMOCO Oil Co. (Des Moines)	UT	1,000
Iowa City Regency MHP	WW	1,000
Great Rivers Coop (Atavia)	HC	1,000
1st Iowa State Bank (Albia)	SW	1,000
Cloyd Poland (Decatur)	FP	800
King's Terrace Mobile Home Court (Ames)	WW	1,000
Amoco Oil Co. (West Des Moines)	UT	1,000
Sioux City, City of	WW	1,000
Des Moines, City of	HC	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Maple Crest Motel and MHP (Mason City)	WS	350
Plymouth County Solid Waste Agency	SW	1,000
Chicago & North Western Transportation, et.al.	SW	1,000
Joe Eggers, Jr., et. al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee County)	FP	500
McDowell Dam #2 (Lee County)	FP	500
Camp Riverside (Guthrie County)	FP	500
Molkenhain Swine Operation (Keokuk County)	WW	800
Oskaloosa Food Products Corp. (Oskaloosa)	WW	1,000
Oskaloosa, City of	WW	1,000
Mason City Iron and Metal Co. (Mason City)	AQ	1,000
Waterloo, City of	WW	1,000
Wally's Paint Shop (Strawberry Point)	AQ	500
Westside Park for Mobile Homes (Lee Co.)	WW	250

*On Payment Schedule

Monona Co. SLF/Ronald L. Hanson (Monona Co.)	SW	1,000
Highland Golf Club, Inc. (Iowa Falls)	UT	500
Casey's General Store (Redfield)	UT	1,000
Tower Club (Cresco)	WS	400
Robert Dean (Parkersburg)	SW	500
Wiota, City of	WS	500
Ames, City of	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Dell Oil Ltd. (Sioux City)	HC	1,000
West Liberty Oil Co. (West Liberty)	UT	1,000
Village Creek Bible Council (Lansing)	WS	500
Farmland Foods, Inc. (Carroll)	WW	1,000
Nordstrom Oil Company (Cedar Rapids)	HC	1,000
White Consolidated/Frigidaire Co. (Jefferson)	WW	1,000
D.Frank/D.Steib-Interstate Salvage (Webster Co.)	AQ	600
Linden Water Supply	WS	1,000
Bernard Sadler/Ger-Mar Farms (Allamakee Co.)	SW	500
William H. Viner (Emerson)	UT	600
Partners-Four-Investments, Inc. (Rockwell)	UT	700
Ossian Chemical, Inc. (Davenport)	AQ	1,000
Farmers Cooperative Elevator (Martelle)	HC	1,000
Partners-Four-Investments, Inc. (Marble Rock)	UT	700
Community Cooperative Oil Co. (Marcus)	UT	600
Community Cooperative Oil Co. (Paullina)	UT	600
Community Cooperative Oil Co. (Remsen)	UT	600
Humboldt County Sanitary Landfill Commission	SW	1,000
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Clement Auto and Truck, Inc. (Webster City)	UT	500
John Staub d/b/a Mr. Convenient (Burlington)	UT	600
Charles Kerr (Sloan)	UT	600
Lake Mills, City of	WS	400
Swaledale, City of	WS	400
Stringtown Country Cafe (Lenox)	WS	1,000
Lincoln Farm and Home Service (Henderson)	WW	1,000
Twin Valley Lakes Improvement Assn. (Solon)	WS	420
Joslin Enterprises, Ltd. (Anamosa)	UT	600
Country Estates Mobile Home Park (Long Grove)	WS	765
Rockford Golf & Country Club (Rockford)	WS	200
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Richard Newman (Des Moines Co.)	SW	500

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Martin Meier (Cerro Gordo Co.)	WW	300
Union Pacific Railroad Co. (Pottawattamie Co.)	WW	1,000
*Custom Hardware Mfg. (Keokuk) (Paid in Full)	AQ	500
*M & D's Chalet (Elgin)	WS	50
Advance Millwork, Inc. (North Liberty)	AQ	500
Mount Auburn, City of	WS	100
Meadow Hills Golf Course (Iowa Falls)	WS	200
Stanford Enterprises, Inc. (Sac City)	WS	200
Tri Center Community Schools (Neola)	WS	100
Vermeer Manufacturing Company (Pella)	AQ	1,000
The Red Barn Resort (Lansing)	WS	200
Whittemore Country Club (Whittemore)	WS	100
*Sleepy Hollow Campground (Oxford)	WW	250
Tasler Pallet & EPS, Inc. (Hamilton County)	AQ	1,000
Fieldstone Cabinetry, Inc. (Northwood)	AQ	800
Guthrie Grove Church Campground (Guthrie Center)	WS	200
Land O' Lakes, Inc. (Hamilton County)	WW	1,000
Koehring Cranes & Excavators, Inc. (Waverly)	AQ	500
Dawson, City of	WS	200

TOTAL \$8,200

*On Payment Schedule

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Al's Corner Oil Co. Carroll (4)		Hazardous Condition	Remedial Action	Order	Referred	12/16/91
Amana Colonies Golf Course Amana (6)		Wastewater	Construction Without Permit	Order	Referred	2/17/92
American Meat Protein Corp. Lytton (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed	10/21/91 4/30/92
Ames Golf & Country Club Ames (5)		Wastewater	Op. Violations Effluent Limits	Referred to Attorney General	Referred	8/19/91
Amoco Oil Company Des Moines (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred Referred Suit Filed Trial Date	8/21/90 10/15/90 9/27/91 1/25/93
Anderson, Nicklos J. d/b/a Far-Mor Feeder Pigs Henry County (6)		Wastewater	Prohibited Discharge	Order	Referred	2/18/91
Archer Daniels Midland Co. Clinton County (6)	Updated	Wastewater Air Quality	Prohibited Discharge Emission Stds.	Referred to Attorney General	Referred Amended Petition Filed Referred Petition Filed Trial Date	3/18/91 10/28/91 5/20/91 10/04/91 1/18/93
Behounek, Paul and Todd Tama (5)		Air Quality	Open Burning	Referred to Attorney General	Referred	5/18/92
Bell Watcher, Inc. Poweshiek Co. (5)		Wastewater	Operation Violations	Referred to Attorney General	Referred Consent Decree Reactivated	9/20/89 4/23/90 12/23/91
Birusingh, Kirshna A. Crescent (4)	New	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	6/15/92
Bode, Kenneth Mills County (4)	New	Solid Waste	Illegal Disposal	Order/Penalty	Referred	6/15/92
Boley, Fred d/b/a Boley Oil McCausland (6)		Hazardous Condition	Remedial Action	Order	Referred	2/17/92
William L. Bown Marshalltown (5)		Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Default Judgment	11/20/89 3/03/90 7/27/90
Bridgestone/Firestone, Inc. Des Moines (5)		Wastewater Hazardous Condition	Prohibited Discharge/ Failure/Notify	Referred to Attorney General	Referred	5/21/90
Bryant, Robert D.V.M. d/b/a Cherokee Hog Farms Aurelia (3)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Information	7/15/91 5/19/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Buffalo Bill Estates, Inc. Camanche (6)		Drinking Water	Mtrg/Rprtng- Nitrate	Order/Penalty	Referred	6/17/91
Buffalo Bill Estates, Inc. Clinton County (6)		Drinking Water	Mtrg/Rprtng- MCL - Bacteria	Order/Penalty	Referred	12/16/91
Build-A-Rama Kossuth County (2)	Updated	Water Rights	DNR Defendant	Defense	Suit Filed Answer Filed Motion for Summary Judgment Trial Date Summary Judgment Granted Case Dismissed	7/27/90 10/29/90 10/10/91 7/14/92 6/24/92
Capitol City Oil Co. d/b/a Dakota Mobile Home Park Iowa City (6)		Wastewater	Monitoring/ Reporting	Order/Penalty	Referred	2/17/92
Carney, Don and Gertrude Ft. Dodge (2)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Petition Filed	4/15/91 3/25/92
Carnicle, Roger d/b/a The New Shack Tavern Cedar Rapids (1)		Drinking Water	MCL - Bacteria	Referred to Attorney General	Referred Petition Filed Trial Date	9/18/90 12/31/90 7/27/92
Chalfant, Milo, et.al. Webster City (2)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Suit Filed Trial Date	9/20/89 8/08/90 4/08/92
Chicago & Northwestern Transportation Co. Blue Chip Enterprises Hawkeye Land Company Iowa Falls (2)	Updated	Hazardous Condition	Remedial Action	Order	Petition for Judicial Review Petition for Judicial Review Petition for Judicial Review Order/Change Venue to Hardin Co. Motion to Consolidate Brief Due Respondent's Brief Due Reply Brief Due Oral Arguments	8/19/91 8/14/91 9/16/91 11/21/91 12/31/91 9/01/92 10/16/92 11/16/92 12/03/92
Chicago & Northwestern Transportation Co. Stanwood (6)		Air Quality	Open Burning	Referred to Attorney General	Referred	5/07/92
Clinton Pallet Co. Clinton (6)		Solid Waste	Illegal Disposal	Referred to Attorney General	Suit Filed Default Judgment	11/09/89 4/ /90
Cooper, Kenneth/Hunter Oil Minburn (5)		Storage Tank	Spill Cleanup	Order	Cooper Referred Hunter Referred Site Assessment DNR Review Remediation Plan Site Work Remedial System Activated	8/17/88 2/01/90 4/20/90 8/22/90 10/14/91 2/06/92
Cota Industries, Inc. Des Moines (5)		Hazardous Condition	Remedial Action	Order	Referred	4/15/91
				Order	Petition for Judicial Review Motion to Dismiss Order Granting Motion to Dismiss Notice of Appeal Appellant Filed Brief State Filed Brief	4/18/91 5/08/91 7/23/91 8/13/91 11/11/91 1/10/92
Davis, Richard & Sonja (5)		Solid Waste	Open Unpermitted Dumping	Referred to Attorney General	Referred Suit Filed Default Judgement Filed Motion to Deny Default Motion Overruled	6/22/88 8/11/88 4/21/89 6/14/89 10/04/89

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DMR Action	Status	Date
Jimmy Dean Meat Co., Inc. (5)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed Trial Date	4/16/90 5/13/91 9/29/92
Osceola, City of (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Amended Petition Filed Trial Date	4/16/90 11/30/90 5/13/91 9/29/92
Denham, Larry Ottumwa (6)		Solid Waste	Illegal Disp.	Referred to Attorney General	Referred Petition Filed Default Judgment	8/21/90 11/30/90 6/10/91
Dillingham, V.R. Everly (3)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Dilts Trucking, Inc. Crescent (4)		Underground Tank	Closure Investigation	Referred to Attorney General	Referred	4/20/92
Dunton, Lloyd Iowa County (6)		Solid Waste	Illegal Disp.	Order/Penalty	Referred	12/16/91
Eagle Wrecking Co. Pottawattamie Co. (4)		Solid Waste	Open Dumping	Order/Penalty	Referred Bankruptcy Claim Filed	6/21/89 7/24/89
Ecology Enterprises, Inc; Hollis D. DeVoe; Michael Murray; Robert Rausch Chickasaw County (1)	New	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	6/15/92
Ervin, Don Webster County (2)	Updated	Solid Waste	Operation Without Permit	Order/Penalty	Referred Motion for Summary Judgment Hearing Held Judgment for \$1,000 Execution & Order to Levy Application to Condemn Funds Partial Payment Received (\$331)	4/16/90 6/02/90 7/02/90 7/13/90 9/28/90 11/27/90 11/30/90
			Permit Violations	Referred to Attorney General	Referred Temporary Injunction Contempt Hearing Order of Contempt Motion for Stay	9/16/91 9/18/91 12/06/91 12/20/91 12/26/91
Ervin, Don (Continued)					Order Granting Stay Oral Arguments	12/26/91 10/07/92
Faber, Don Des Moines (5)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	5/18/92
First Iowa State Bank Albia (2)		Solid Waste	Open Dumping	Order/Penalty	Petition for Judicial Review Oral Argument Ruling on Petition for Judicial Review Notice of Appeal	4/12/91 11/04/91 3/02/92 3/31/92
Fox, Charlie Hamburg (4)	New	Underground Tank	Site Check	Order/Penalty	Referred	6/15/92
Fred Carlson Co., Inc. Decorah (2)		Air Quality	Emission Standards	Referred to Attorney General	Referred Petition Filed Trial Date	2/18/91 8/06/91 8/20/92
Giese Construction Co. Ft. Dodge (2)		Solid Waste Air Quality	Illegal Disposal; Open Burning	Referred to Attorney General	Referred	5/29/92
Herweh, Bill Prairie City (5)		Underground Tank	Closure Investigation	Order	Referred	11/18/91

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Hosch, John Jones County (1)	Updated	Wastewater	Prohibited Discharge	Order/Penalty	Referred Motion for Summary Judgment Hearing Date Penalty Paid (\$500/Admin.)	2/17/92 5/21/92 6/26/92 6/25/92
Humboldt County Sanitary Landfill (2)		Solid Waste	Cover Violations; Other	Referred to Attorney General	Referred	5/29/92
Iowa City, City of (6)		Solid Waste	Cover Violations	Referred to Attorney General	Referred	4/20/92
Lakeshore Drive, Inc. et.al. Osceola (5)		Flood Plain	Reconstruction	Order	Referred Petition Filed Judgment vs. Lakeshore	11/20/89 2/07/90 4/09/90
Landfill of Des Moines, Inc. Des Moines #4 (5)		Solid Waste	Compliance Schedule;Other	Order/Penalty	Referred	12/16/91
Landfill of Des Moines, Inc. Des Moines #5 (5)		Solid Waste	Compliance Schedule;Other	Order/Penalty	Referred	5/18/92
Larson, Daryl, D.V.M. Audubon (4)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Information Guilty Pleas Deferred Judgments (\$3,000 Rest.)	11/20/89 3/19/91 6/01/92 6/01/92
Lenox, City of and Papetti's of Iowa, Inc.		Wastewater	Effluent Stnds; Treatment Agreement	Order	Referred	2/18/91
Loften, R. D. d/b/a Loften Veterinary Services Osage (2)		Underground Tank	Closure Investigation	Order/Penalty	Referred	4/20/92
Lucas-Monroe County Sanitary Landfill (5)		Solid Waste	Other	Referred to Attorney General	Referred	5/29/92
Lytton, City of (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred	5/18/92
Maasdam, Donald Rolfe (3)		Solid Waste	Operation Without Permit	Order	Referred	1/21/92
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)		Hazardous Condition	Remedial Action	Order/Penalty	Referred	2/17/92
McGregor, John W. and Doris v. DNR (4)		Wastewater	DNR Defendant	401 Certification	Petition for Judicial Review Answer Filed	5/30/91 6/25/91
Bob McKiniss Excavating & Grading v. IDNR		Hazardous Condition	DNR Defendant	Defense	Suit Filed DNR Motion to Dismiss Ruling on Motion to Dismiss and Bifurcation	3/12/91 5/01/91 3/26/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Midwest Environmental Law Center v. EPC	Updated	Air Quality	DNR Defendant	Defense	Suit Filed Answer Filed Motion for Summary Judgment Hearing on Motion Summary Judgment Denied Trial Date	12/03/91 12/23/91 4/10/92 5/22/92 5/22/92 10/08/92
Monfort, Inc. Des Moines (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Info. Filed (Polk Co.) Trial Date	12/11/89 7/19/91 6/22/92
New Virginia Sanitary District (5)		Wastewater	Mtrg/Rprt	Referred to Attorney General	Referred Petition Filed	9/16/91 5/19/92
Nollen, Harold d/b/a Nollen Phillips 66 Harlan (4)		Underground Tank	Closure Investigation	Referred to Attorney General	Referred	4/20/92
Orchard, City of (2)		Drinking Water	Mtrg/Rprt MCL-Bacteria Operation Violations	Referred to Attorney General	Referred	6/17/91
Page, Leonard Kent (4)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Pregler, Gerald Dubuque County (1)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Trial Date Consent Decree (\$2,000/Civil)	10/15/90 5/23/91 5/04/92 6/17/92
Pringle, Michael and Brenda d/b/a Follett's Tap Camanche (6)	New	Drinking Water	Mtrg/Rprt Bacteria/Nitrate	Referred to Attorney General	Referred	6/15/92
Rottler Farms, Inc. and Pooley and Rottler Farms, Inc. Butler County (2)	Updated	Wastewater	Pretreatment	Order/Penalty	Referred Consent Decree (\$3,000/Civil)	2/17/92 6/16/92
Schultz, Albert and Iowa Iron Works Ely (1)	Updated	Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed Trial Date	9/20/89 8/08/90 4/19/93
Shelley, Roberto and Sally Guthrie Center (4)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Trial Date	4/15/91 7/18/91 5/19/92
Simmons, Art d/b/a Art's Garage Bussey (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	5/20/91
Siouxland Quality Meat Co., Inc. Sioux City (3)		Wastewater	Discharge Limitations	Referred to Attorney General	Referred Petition Filed Consent Decree (\$5,000) Bankruptcy Ch. 7 Filed Claim Filed Bankruptcy Trial Date	2/20/90 7/02/90 10/30/91 12/19/91 1/21/92 5/14/92
Soo Line Railroad Co. Mason City (2)		Wastewater Haz. Condition	Prohibited Discharge Remedial Action	Referred to Attorney General	Referred	7/15/91

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Starling, Vern Boone County (5)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Motion for Summary Judgment Trial Date Ruling on Motion for Summary Judgment (\$800/Admin.) Partial Payment Rcd. (\$110)	1/21/92 1/31/92 3/02/92 3/03/92 5/06/92
Sun Wise Systems Corp. Sac City (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed	10/15/90 11/27/91
Tama City of (5)	New	Wastewater	Discharge Limitations	Referred to Attorney General	Referred	6/15/92
Taylor, George Onslow (1)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Thomas, Fred R. d/b/a Clair-View Acres, Delhi (1)		Drinking Water	Mtrg/Rprtng	Order/Penalty	Referred	9/16/91
Van Hulzen, Kenneth Oskaloosa (5)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Wunschel, Vernus Ida Grove (3)		Underground Tank	Closure Investigation	Order/Penalty	Referred	2/17/92
Yentes, Clifford Council Bluffs (4)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/20/92
Zahrobsky, Tom Lucas (5)	New	Wastewater	Prohibited Discharge	Order/Penalty	Referred	5/26/92

DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION CONTESTED CASES JULY 1, 1992

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	WW	Landa	Hearing continued.
5-12-87	Iowa City Regency MHP	Administrative Order	WW	Hansen	Hearing held 11-03-87; amended order issued.
8-10-87	Great Rivers Co-op	Administrative Order	HC	Murphy	Hearing continued.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Appealed to Supreme Court.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Wornson	One of two sites closed-SCR completed on second.
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	District Court dismisses other issues; Foland appeals to Supreme Court.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Murphy	Hearing set for 8/10/92.
1-25-89	Amoco Oil Co. - Des Moines 7LTY03	Administrative Order	UT	Wornson	Settlement proposed. Clean-up progressing.
2-10-89	Baier/Mansheim/Moyer	Site Registry	HW	Landa	Property transferred.
2-13-89	King's Terrace Mobile Home Court	Administrative Order	WW	Murphy	Hearing continued until 7/17/92.
5-01-89	Amoco Oil Co. - West Des Moines	Administrative Order	UT	Wornson	Compliance initiated.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6-08-89	Shaver Road Investments	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-12-89	Amana	Site Registry	HC	Landa	Negotiating before filing.
6-22-89	Chicago & Northwestern Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Landa	Petition for judicial review of agency action.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Landa	Negotiation proceeding.
10-24-89	Consumers Cooperative Assoc.	Site Registry	HC	Landa	Negotiation proceeding.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Landa	Hearing continued pending negotiations.
11-20-89	FFCA/MIP	Site Registry	HC	Murphy	Sent to DIA.
12-11-89	Leo Schachtner	Permit Issuance	FP	Clark	Proposed decision 5/14/92. Appealed.
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	Informal meeting held on 5/18/90.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	Landa	Settlement proposed.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	Landa	Compliance initiated.
5-14-90	Alter Trading Corp. (Council Bluffs)	Administrative Order	SW	Kennedy	Negotiating before filing.
5-15-90	Des Moines, City of	Administrative Order	HC	Landa	Hearing continued. Settlement proposed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	Department response sent 3/12/92.
6-26-90	Maple Crest Motel and Mobile Home Park	Administrative Order	WS	Hansen	Negotiating settlement.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW	Landa	Hearing continued.
7-11-90	Chicago & Northwestern Co.; Steve L. Carroll; Susan E. Carroll; and Tracy A. Carroll	Administrative Order	NR	Kennedy	New orders issued 12/28/90 rescinding prior orders.
11-20-90		Administrative Order	SW	Kennedy	Settlement pending.
7-23-90	IBP, inc. Perry	Administrative Order NPDES Permit	WW	Hansen	Response from IBP 10/14/91.
7-26-90	Plymouth County SW Agency	Administrative Order	SW	Kennedy	Settlement pending.
7-30-90	Key City Coal Gas Site; Murphy Trust & Howard Pixler	Site Registry	HW	Landa	Decision appealed (Pixler). Motion to intervene denied 2/17/91 (Murphy Trust)
8-01-90	J.I. Case Company	Site Registry	HW	Landa	Hearing set for 8/3/92.
9-10-90	IBP, inc. Columbus Junction	Administrative Order NPDES Permit	WW	Hansen	Petition for judicial review.
9-12-90	Michael & Joyce Haws; George H. Gronau	Administrative Order	UT	Wornson	Settlement proposed.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
9-20-90	Duane Schwarting	Variance Denial	SW	Kennedy	Hearing continued.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Wornson	Negotiating before filing.
10-18-90	Harlan Pruess	Claim	HC	Landa	Hearing continued indefinitely.
11-15-90	Springwood Enterprises, Inc.	Water Use Permit	WR	Clark	Hearing continued.
12-04-90	United States Gypsum Company	Administrative Order	SW	Kennedy	Negotiating before filing.
12-21-90	Des Moines, City of	Administrative Order	UT	Wornson	Settlement proposed.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Hearing continued.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	SW	Kennedy	Negotiating before filing.
1-09-91	Iowa Southern Utilities	Administrative Order	HC	Landa	Hearing set for 8/6/92.
1-28-91	McDowell Dam #1 & #2	Administrative Order	FP	Clark	Negotiating before filing.
2-22-91	Leon & Rebecca Pierce Camp Riverside	Administrative Order	FP	Clark	Hearing continued.
3-08-91	ADM - Cedar Rapids	Conditional Permit	AQ	Preziosi	Hearings begun.
3-21-91	Molkenthin Swine Operation	Administrative Order	WW	Murphy	Hearing continued.
3-22-91	Mitchell Bros. Boars and Gilts	Administrative Order	WW	Murphy	Negotiating before filing.
5-09-91	Oskaloosa Food Products Corp.	Administrative Order	WW	Hansen	Negotiating before filing.
5-16-91	Oskaloosa, City of	Administrative Order	WW	Hansen	Negotiating before filing.
5-20-91	Great Rivers Coop--Lockridge	Site Registry	HC	Landa	Hearing continued.
5-31-91	Cargill, Inc.	Certificate to Construct	AQ	Preziosi	Appeal withdrawn.
7-05-91	Mason City Iron & Metal Co.	Administrative Order	AQ	Preziosi	Settlement close.
7-15-91	Des Moines Independent School District - North High School	Site Registry	HC	Landa	Hearing continued.
7-22-91	Rupp Tire	Administrative Order	UT	Wornson	Settlement proposed.
7-24-91	Alter Trading Corp. (Davenport)	Administrative Order	SW	Kennedy	Negotiating before filing.
7-27-91	Chicago North Western; Dennis Bell; Phillips Petroleum; Amoco Oil Co.	Administrative Order	HC	Landa	Hearing continued. Compliance initiated.
8-05-91	Rathburn Area Solid Waste Comm.	Permit Conditions	SW	Kennedy	Hearing continued to 8/7/92.
8-14-91	Williamsburg, City of	Administrative Order	WW	Hansen	Amended order issued. City requests dismissal.
8-23-91	Wally's Paint Shop	Administrative Order	AQ	Preziosi	Hearing continued to 7/7/92. Settlement close.
8-29-91	Iowa Southern Utilities	Certificate to Construct	AQ	Preziosi	Written testimony filed.
9-04-91	Duane Arnold Energy Center	Permit Condition	WW	Hansen	Information received 3/16/92.
9-16-91	Mononoe Co. SLF Agency	Administrative Order	SW	Kennedy	Sent to DIA.
9-25-91	Archer Daniels Midland	Administrative Order	SW	Kennedy	Negotiating before filing.

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Environmental Protection Commission Minutes

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
JULY 1, 1992

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
9-27-91	Battle Creek, City of	Administrative Order	WS	Hansen	WS section comment letter sent 6/16/92.
10-02-91	IBP, inc. - Storm Lake	Permit Conditions	WW	Hansen	Negotiating before filing.
10-30-91	West Liberty, City of	Permit Conditions	WW	Hansen	Negotiating before filing.
11-07-91	Casey's General Store (Redfield)	Administrative Order	UT	Wornson	Awaiting attorney response.
11-14-91	Ossian, Inc.	Permit Denial	AQ	Preziosi	Hearing set for 10/13/92.
11-15-91	Highland Golf Club, Inc.	Administrative Order	UT	Wornson	Closure completed-negotiating penalty.
12-03-91	State Central Bank	Administrative Order	UT	Wornson	Settlement agreed upon-finalize.
12-05-91	Tower Club	Administrative Order	WS	Hansen	Report submitted to EPC/under review by WS.
12-09-91	Robert Dean	Administrative Order	SW	Kennedy	Negotiating before filing.
12-09-91	Koehring Cranes and Excavators	Administrative Order	AQ	Preziosi	Penalty paid. Settled.
12-31-91	Linden Water Supply	Administrative Order	WS	Hansen	Negotiating before filing.
1-07-92	Wiota, City of	Administrative Order	WS	Hansen	Preliminary engineering report under review by WS.
1-13-92	Ames, City of	Administrative Order	SW	Kennedy	Negotiating before filing.
1-13-92	Village Creek Bible Camp/Retreat	Administrative Order	WS	Hansen	As-built constr. application under review by WS.
1-17-92	Hickory Hollow Water Co.	Administrative Order	WS	Hansen	Meeting 4/13/92.
1-21-92	Dell Oil, Ltd.	Administrative Order	HC	Wornson	Hearing commenced.
1-24-92	West Liberty Oil Co.	Administrative Order	UT	Wornson	Informal hearing requested/letter sent.
1-27-92	Heartland Lysine, Inc.	Tax Certification Denial	WW	Murphy	Negotiating before filing.
1-28-92	Dietrick Mobile Home Park	Administrative Order	WW	Murphy	Settled.
1-30-92	Center Oil Co., Inc.	Administrative Order	HC	Murphy	Negotiating before filing.
2-14-92	Ossian Chemical, Inc.	Administrative Order	AQ	Preziosi	Hearing continued.
2-20-92	Farmland Foods, Inc.	Administrative Order	WW	Hansen	Hearing continued to 7/21/92.
2-24-92	Fieldstone Cabinetry, Inc.	Administrative Order	AQ	Preziosi	Penalty paid. Appeal withdrawn.
2-25-92	Nordstrom Oil Co.	Administrative Order	HC	Murphy	Negotiating before filing.
2-28-92	William H. Viner	Administrative Order	UT	Wornson	Negotiating before filing.
3-09-92	Iowa Power, Inc.- Council Bluffs	Permit Condition	WW	Hansen	Negotiating before filing.
3-11-92	Bernard Sadler and Ger-Mar Farms, Inc.	Administrative Order	SW	Kennedy	Negotiating before filing.
3-12-92	Farmers Cooperative Elevator - Martelle	Administrative Order	HC	Murphy	Negotiating before filing.
3-23-92	Partners-Four Investments-Rockwell	Administrative Order	UT	Wornson	Negotiating before filing-penalty only.

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 ENVIRONMENTAL PROTECTION COMMISSION
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3-23-92	Partners-Four Investments-Marble Rock	Administrative Order	UT	Wornson	Negotiating before filing-penalty only.
3-30-92	White Consolidated Industries, Inc.	Administrative order	WW	Hansen	Negotiating before filing.
4-01-92	Occidental Chemical Corp.	Administrative Order	SW	Kennedy	Negotiating before filing.
4-03-92	Charles P. Schafer; Stringtown Properties, et. al.	Administrative Order	UT	Wornson	Informal settlement requested.
4-06-92	Community Cooperative Oil Co. - Marcus	Administrative Order	UT	Wornson	Negotiating before filing.
4-07-92	Humboldt Co. Sanitary Landfill	Administrative Order	SW	Kennedy	Sent to DIA.
4-09-92	Wayne Transports, Inc.	Administrative Order	WW	Murphy	Negotiating before filing.
4-13-92	Stringtown Country Cafe	Administrative Order	WS	Hansen	Order issued superceding order that was appealed.
4-13-92	Joslin Enterprises, Inc.	Administrative Order	UT	Wornson	Negotiating before filing.
4-14-92	Clement Auto & Truck, Inc.	Administrative Order	UT	Wornson	Closure initiated.
4-15-92	Mulgrew Oil Co.	Administrative Order	HC	Murphy	Negotiating before filing.
4-16-92	Swaledale, City of	Administrative Order	WS	Hansen	Negotiating before filing.
4-17-92	John M. Staub d/b/a Mr. Convenient	Administrative Order	UT	Wornson	Negotiating before filing-penalty only.
4-24-92	Charles A. Kerr	Administrative Order	UT	Wornson	Negotiating before filing.
4-30-92	Poweshiek Water Assoc.	Administrative Order	WS	Hansen	Negotiating before filing.
5-05-92	Lincoln Farm & Home Service	Administrative Order	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-14-92	Eagle Window & Door, Inc.	Permit Condition	AQ	Preziosi	Negotiating before filing.
5-15-92	Heartland Lysine, Inc.	Tax Certification	AQ	Preziosi	Negotiating before filing.
5-19-92	Twin Valley Lakes Improvement Assn.	Administrative Order	WS	Kennedy	Negotiating before filing.
5-19-92	J. Eric Holt	GW Prof. Denial	UT	Wornson	Settled.
5-21-92	National By-Products, Inc.	Tax Certification	WW	Hansen	Negotiating before filing.
5-26-92	First Community National Bank (Stringtown Properties-Lenox)	Administrative Order	UT	Wornson	Informal settlement requested.
5-27-92	Beckett Chevrolet-Olds	Administrative Order	UT	Wornson	New case.
6-05-92	Wilson Foods	Permit Denial	AQ	Preziosi	New case.
6-15-92	Country Estates MHP	Administrative Order	WS	Clark	New case.
6-15-92	Rockford Golf & Country Club	Administrative Order	WS	Clark	New case.
6-15-92	Country Estates MHP	Administrative Order	WS	Clark	New case.
6-18-92	William W. Lindgren	Permit Issuance	FP	Clark	New case.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw Co. SLF	Administrative Order	SW	Kennedy	New case.

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ENVIRONMENTAL PROTECTION COMMISSION
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6-24-92	Karl Ludwig	Administrative Order	UT	Wornson	New case.
6-26-92	Waste Systems Corp. and Robert Roth d/b/a Winnebago County Sanitary Landfill	Administrative Order	SW	Kennedy	New case.
7-01-92	Richard A. Newman	Administrative Order	SW	Kennedy	New case.
7-01-92	Bridgestone/Firestone, Inc. and Des Moines Independent School District-North High	Administrative Order	WW	Murphy	New case.

Nancylee Siebenmann asked about the status of the Midwest Environmental Law Firm suit.

Mr. Murphy stated that it is scheduled to go to trial in September. He related that he will provide copies of the briefs to each Commissioner.

Further discussion took place regarding various cases listed on the reports.

INFORMATIONAL ONLY

FINAL RULE--CHAPTERS 100 AND 102, PERMITS: SPECIAL WASTE AUTHORIZATIONS

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

In 1989 the legislature amended 455B and added an "Infectious Waste" section that included several definitions dealing with infectious waste. It is proposed that Chapter 100 be amended to include those definitions as follows: infectious, infectious waste, contaminated sharps, cultures and stocks of infectious agents, human blood and blood products, pathological waste, and contaminated animal carcasses. The chapter will also be expanded to include (1) a definition of "industrial process waste" and "special waste", (2) a change in the definition of toxic and hazardous waste, and (3) changes in the paragraph dealing with Special Waste Authorizations.

It is proposed that Chapter 102 be amended to incorporate specific waste types and analytical testing requirements into the special waste category. A new analytical testing requirement is proposed for paint related wastes to replace the Total Extractable Hydrocarbon test currently used. The total hydrocarbon test has been found to be unacceptable for determining hydrocarbons contained in the waste. The proposed analytical testing requirements would add nine additional "solvent like" constituents to the current Toxicity Characteristic Leaching Procedure.

ENVIRONMENTAL PROTECTION COMMISSION (567)
Final Rule

Pursuant to the authority of Iowa Code section 455B.304, the Environmental Protection Commission gives Notice of Intended Action to amend 567--Chapter 100 "Scope of Title-Definitions-Forms-Rules of Practice," and Chapter 102 "Permits," Iowa Administrative Code.

The Commission proposes to amend 567--Chapter 100 to adopt definitions of infectious waste, contaminated sharps, cultures and stocks of infectious agents, human blood and blood products, pathological waste, and contaminated animal carcasses. The chapter will also be expanded to include a definition of special waste. The rules in 567--102 will be amended to incorporate specific waste types and analytical testing requirements into the special waste category. A new analytical testing requirement is being proposed for paint related wastes to replace the Total Extractable Hydrocarbon test currently used. The Total Extractable Hydrocarbon test has been found to be unacceptable for determining hydrocarbons contained in the wastes. The proposed analytical testing requirement would add nine additional "solvent like" constituents to the current Toxicity Characteristic Leaching Procedure.

These rules are intended to implement section 455B.304 and 455B.490 of the Code of Iowa.

These amendments may impact small businesses.

The following amendments are proposed:

ITEM 1. Amend subrule 567--100.2(455B) as follows:

"Toxic and Hazardous Waste" means a waste material, including but not limited to poisons, pesticides, herbicides, fungicides, insecticides, acids, caustics, pathological wastes, flammable or explosive materials and similar harmful wastes which require special handling and which must be disposed of in such a manner as to conserve the environment and protect the public health and safety, because of its physical, toxicological, or chemical properties is a waste which may not be disposed of in a sanitary landfill. All wastes which are subject to regulation as "hazardous wastes" under the Resources Conservation and Recovery Act are "toxic and hazardous wastes".

ITEM 2. Further amend subrule 100.2(455B) by adding the following definitions:

"Industrial Process Waste" means waste that is generated as the direct result of producing goods and commodities. It does not include office waste, cafeteria waste, or other types of waste that are not the direct result of production processes."

"Special Waste" means waste materials including but not limited to non-hazardous industrial process wastes, infectious wastes, and similar potentially harmful wastes which require special handling and which must be disposed of in such a manner as to conserve the environment and protect the public health and safety and may be disposed of in a sanitary landfill in Iowa if authorized by the Department.

"Infectious" means containing pathogens with sufficient virulence and quantity so that exposure to an infectious agent by a susceptible host could result in an infectious disease when the infectious agent is improperly treated, stored, transplanted, or disposed.

"Infectious waste" means waste, which is infectious, including but not limited to contaminated sharps, cultures, and stocks of infectious agents, blood and blood products, pathological waste, and contaminated animal carcasses from hospitals or research laboratories.

"Contaminated sharps" means all discarded sharp items derived from patient care in medical, research, or industrial facilities including glass vials containing materials defined as infectious, suture needles, hypodermic needles, scalpel blades, and pasteur pipettes.

"Cultures and stocks of infectious agents" means specimen cultures collected from medical and pathological laboratories, intravenous tubing, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biological agents, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate or mix cultures.

"Human blood and blood products" means human serum, plasma, other blood components, bulk blood, or containerized blood in quantities greater than twenty milliliters.

"Pathological waste" means human tissues and body parts that are removed during surgery or autopsy.

"Contaminated animal carcasses" means waste including carcasses, body parts, and bedding of animals that were exposed to infectious agents during research, production of biologicals, or testing of pharmaceuticals.

ITEM 3. Amend subrule 100.3(2)(455B) as follows:

~~Industrial sludge and toxic and hazardous waste disposal instructions~~ Special waste disposal instructions. Requests for special waste authorizations instructions for the disposal of hazardous or toxic waste special waste, as required by 102.15(2), shall be submitted by the generator of the waste to:

Administrative Support Station
Special Waste Authorizations
Environmental Protection Division
Iowa Department of Natural Resources
Henry A. Wallace Building
900 East Grand
Des Moines, Iowa 50319-0034

Further amend subrule 100.3(2)(455B) by amending paragraph "a" as follows:

a. Requests shall be made by submitting Form 46 (542-3216) "Request for Special Waste Authorization" accompanied by supporting data as deemed necessary by the department. In case of emergency, instructions may be obtained by telephone by calling 515/281-8693. ~~In those limited circumstances when the waste is unused commercial product in the original container which has attached legible labels and there is reasonable certainty that the label accurately represents the contents of the container the owner of this waste need only submit a Waste Disposal of Commercial Products Only, Form 47 (542-3148);~~ Special waste authorization request forms can be obtained by calling 515/281-3426.

ITEM 4. Amend rule 567--102.15(455B) by adding the following introductory paragraph:

The goal of the Special Waste Authorization program is to insure that all wastes are properly disposed of. Toxic and hazardous wastes, as defined in rule 100.2, shall not be disposed of in a sanitary landfill in Iowa.

Further amend subrule 567--102.15(2)(455B) as follows:

102.15(2) Special waste. ~~Industrial sludge and toxic and hazardous waste~~ Nospecial waste shall be delivered to nor disposed by a sanitary disposal project landfill unless explicit instructions are first obtained from the department by the generator of the waste.

102.15(2)b Prior to the issuance of any such instructions, the department may require that a proposal for disposal of such waste in conformance with these rules with supporting data as may be deemed necessary be submitted by the originator of such waste for evaluation by the department. The prohibition of such waste shall continue in effect until an acceptable procedure for processing or disposal has been developed and approved. analytical
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testing supporting the characterization of the waste as non-hazardous. Analytical testing requirements include (1) characteristic of ignitability, (2) characteristic of corrositivity, (3) characteristic of reactivity, (4) Toxicity Characteristic Leaching Procedure (TCLP) for all Toxicity Characteristic (TC) analytes, (5) Paint Filter Liquids Test. Methods to be used for determining these characteristics are Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, U.S. EPA, SW-846 and additions thereto. The analytical results must be submitted along with the "Request for Special Waste Authorization" Form 46 (542-3216). The TC testing requirements may be altered if the department believes there is sufficient evidence supporting the absence of a constituent or constituents usually required by the TCLP. Material Safety Data Sheets may be used as supporting evidence if the waste constituents are clearly listed. The department reserves the right to refuse any Material Safety Data Sheet which is not properly and sufficiently prepared.

102.15(2)c All ~~toxic~~ and hazardous waste or industrial sludge special waste for which instructions have been received shall be disposed according to those instructions.

102.15(2)d Wastes may be disposed under a Special Waste Authorization if the waste is non-hazardous as determined by the following criteria:

1. No TC (Toxicity Characteristic) analytes as determined using the TCLP (Toxicity Characteristic Leaching Procedure) over the following federally regulated levels:

Arsenic	5.0 mg/l
Barium	100.0 mg/l
Benzene	0.5 mg/l
Cadmium	1.0 mg/l
Carbon tetrachloride	0.5 mg/l
Chlordane	0.03 mg/l
Chlorobenzene	100.0 mg/l
Chloroform	6.0 mg/l
Chromium	5.0 mg/l
o-Cresol	200.0 mg/l
m-Cresol	200.0 mg/l
p-Cresol	200.0 mg/l
Cresol	200.0 mg/l
2,4-D	10.0 mg/l
1,4 Dichlorobenzene	7.5 mg/l
1,2 Dichloroethane	0.5 mg/l
1,1 Dichloroethylene	0.7 mg/l
2,4 Dinitrotoluene	0.13 mg/l
Endrin	0.02 mg/l
Heptachlor (and its hydroxide)	0.008 mg/l
Hexachlorobenzene	0.13 mg/l
Hexachloro-1,3-butadiene	0.5 mg/l
Hexachloroethane	3.0 mg/l
Lead	5.0 mg/l
Lindane	0.4 mg/l

Mercury	0.2 mg/l
Methoxychlor	10.0 mg/l
Methyl ethyl ketone	200.0 mg/l
Nitrobenzene	2.0 mg/l
Pentachlorophenol	100.0 mg/l
Pyridine	5.0 mg/l
Selenium	1.0 mg/l
Silver	5.0 mg/l
Tetrachloroethylene	0.7 mg/l
Toxaphene	0.5 mg/l
Trichloroethylene	0.5 mg/l
2,4,5-Trichlorophenol	400.0 mg/l
2,4,6-Trichlorophenol	2.0 mg/l
2,4,5-TP (Silvex)	1.0 mg/l
Vinyl chloride	0.2 mg/l

2. Paint related wastes require TCLP testing of an additional nine constituents. The additional nine regulatory limits are as follows:

Acetone	10.0 mg/l
Butyl alcohol	10.0 mg/l
Ethyl acetate	90.0 mg/l
Ethylbenzene	70.0 mg/l
Isobutanol	30.0 mg/l
Methylene chloride	0.5 mg/l
Styrene	20.0 mg/l
Toluene	100.0 mg/l
Xylene	1000.0 mg/l

3. No free liquids as determined by the Paint Filter Liquids Test
4. pH of solid in 10% solution not less than or equal to 2 or greater than 12.5
5. Does not meet any of the federal Resource Conservation and Recovery Act criteria for listed or characteristic hazardous waste.

ITEM 5. Add the following new paragraphs to 102.15(2)(455B):

e. Specific types of wastes requiring a Special Waste Authorization for disposal in a sanitary landfill.

1. Industrial sludges: Analytical testing requirements include the Characteristic of Toxicity for all TC analytes, Paint Filter Liquids Test, and pH. If solvents are used in the process which generates the sludge, the additional TC organics are required.

2. Paint, stain, and varnish wastes (filters, overspray, sludges): Analytical testing requirements include the Paint Filter Liquids Test, Toxic Characteristic Leaching Procedure, pH, and the additional TCLP organics.

3. Incinerator ash, fly ash, baghouse dust: Analytical testing requirements include the Toxic Characteristic Leaching Procedure.
 4. Sandblast waste: Analytical testing requirements include Toxic Characteristic Leaching Procedure, and pH.
 5. Filtering media: Analytical testing requirements include Toxic Characteristic Leaching Procedure, and pH.
 6. Sharps: Must be sterilized and disposed of in a rigid container. No analytical testing required.
 7. Other infectious wastes, except contaminated sharps: If sterilized by autoclaving (steam sterilization) must be sterilized in a bag manufactured for stability during sterilization. The bag must have a special tape in the upper 1/3 portion that will have black or dark brown lines running through it showing that sterilization took place after the tape was applied to the bag. If incinerated, must be rendered non-recognizable. Other methods of rendering infectious waste non-pathogenic will be considered on a case by case basis. Testing requirements for methods other than sterilization (autoclaving) and incineration would be the characteristics of toxicity and corrositivity. In addition to the submission of analytical data the generator of the infectious waste would be required to submit data to the Department to show that the infectious waste is no longer pathogenic.
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8. Pharmaceuticals and biological products: Labels listing chemical composition must accompany Form 46.
 9. Industrial process waste: Analytical testing requirements include Toxic Characteristic Leaching Procedure, pH, and Paint Filter Liquids Test.
 10. PCB contaminated wastes: Analytical testing requirements include PCB content. Wastes having levels of PCB contamination above the federal maximum contamination levels shall not be authorized for disposal.
 11. Captan treated seed bags: There are no analytical testing requirements but special handling is required at the sanitary landfill. Captan treated seed should be recycled through an ethanol plant.
 12. Pesticide contaminated wastes containing less than 10 ppm total pesticides.
 13. Polynuclear Aromatic Hydrocarbon (PAH) contaminated soil may be disposed if the Total PAH level is below 500 ppm for compounds:

Acenaphthene,	Acenaphthylene,	Anthracene,
Benzo(a)Anthracene,	Benzo(a)Pyrene,	Benzo(b)Fluoranthene,
Benzo(g,h,i)Perylene,	Benzo(k)Fluoranthene,	Chrysene,
Dibenzo(a,h)Anthracene,	Fluoranthene,	Fluorene,

Indeno (1,2,3-cd) Pyrene, Napthalene, Phenanthrene, and Pyrene and the Total Carcinogenic PAH level is below 100 ppm for compounds: Benzo (a) Anthracene, Benzo (b) Pyrene, Benzo (b) Fluoranthene, Benzo (k) Fluoranthene, Chrysene, Dibenzo (a,h) Anthracene, Indeno (1,2,3-cd) Pyrene, Phenanthrene, and Pyrene. Methods to be used for determining these compounds are Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, US EPA, SW-846 and additions thereto.

14. Aflatoxin contaminated wastes may be disposed at levels of 500 ppb or lower.

IOWA DEPARTMENT OF NATURAL RESOURCES
Air Quality & Solid Waste Protection Bureau

RESPONSIVENESS SUMMARY

Special Waste Authorization rules

July 2, 1992

The following is a list of comments received on the proposed Special Waste Authorization rules. Each comment has been presented as to (A) who the comment is from and what the comment is, (B) discussion of the comments, and (C) reflected to show how the change would appear as proposed rules, or whether no change would be required.

1. (A) Browning-Ferris Industries (BFI), BFI is unclear as to who obtains Special Waste Authorizations instructions. This comment is similar to one from Aluminum Company of America that states that they are under the impression that the landfill submits the SWA request to the department.

(B) Chapter 100 and 102 will be made more clear if wording is added as to who obtains the Special Waste Authorization.

(C) Change the proposed 100.3(2) to state "Special waste disposal instructions. Requests for ...special waste, as required by 102.15(2) shall be submitted by the generator of the waste to: Special Waste Authorizations ...50319-0034" Also change the proposed 102.15(2) to state "Special waste. No industrial ... instructions are first obtained from the department by the generator of the waste."

2. (A) BFI (Monsanto also) suggests that the words "sanitary disposal project" in proposed 102.15(2) be defined to include landfills, monofills, surface impoundments, and land applications facilities, including those facilities located at or near the site of generation of the waste.

(B) Rather than change the the definition of "sanitary disposal project" as suggested, it is proposed to change "sanitary disposal project", in the proposed 102.15(2), to "sanitary landfill". This change along with changing the words "sanitary disposal project" to "sanitary landfill" in the introductory paragraph in proposed 102.15 and the definition of "toxic and hazardous waste" in 100.2 will be consistent with "sanitary landfill" as used in the proposed definition of "Special Waste" in 100.2. These changes will reflect the idea of "landfill" rather than "sanitary disposal project" in the proposed rules. As in the past, Special Waste Authorizations have been issued to a "landfill" rather than a "sanitary disposal project".

(C) Change our proposed definition of "toxic and hazardous waste" in 100.2, 102.15, and 102.15(2) to state "sanitary landfill" rather than "sanitary disposal project".

(3) (A) BFI sees a problem with addressing special waste management as there is an absence of references to required analytical methods in proposed 102.15(2)d. It is suggested that the proposed rules reference SW-846 and the appropriate test methods and add to the proposed rule, "see Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, US EPA, SW-846 and additions thereto". They feel that in the absence of specific testing methods, it is very difficult to objectively compare data from various laboratories.

(B) This change should be made, as it adds detail to the requirements for the TCLP testing. Also proposed 102.15(2)b needs a list of tests to clarify the testing requirements.

(C) Change the proposed 102.15(2)d(1) to state "1. No TC (Toxicity Characteristic) analytes over the ...". Change the proposed 102.15(2)(b) to state "Prior to the ...non-hazardous. Analytical testing requirements include (1) characteristic of ignitability, (2) characteristic of corrositivity, (3) characteristic of reactivity, (4) Toxicity Characteristic Leaching Procedure (TCLP) for all Toxicity Characteristic (TC) analytes, and (5) Paint Filter Liquids Test. Methods to be used for determining these characteristics are Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, U.S. EPA, SW-846 and additions thereto. The analytical results must be submitted along with the "Request for Special Waste Authorization" Form 46 (542-3216). The TC testing requirements may be ...".

4. (A) BFI points out in the proposed 102.15(2)d(1) that TCLP is an extraction method or sample preparation method, and that the proposed section refers to EPA's list of toxicity compounds (arsenic through vinyl chloride) as constituents. BFI points out that the constituents should be properly viewed as TC analytes that are determined from a TCLP extract.

(B) BFI is correct that TCLP is an extraction or sample preparation and also that the words "TCLP constituents" should be "TC analytes". This is discussed in 55 Fed. Reg. 11,798 (March 29, 1990); 40 CFR, Part 268, Appendix 1.

(C) Change the words "TCLP constituents" to "TC (Toxicity Characteristic) analytes" in proposed 102.15(2)d(1) and after "analytes" insert "as determined using the TCLP (Toxicity Characteristic Leaching Procedure)."

5. (A) BFI points out in 102.15(2)e(1) that TCLP is an extraction or sample preparation method and that we need to use the word "analytes" rather than "constituents" in the sentences listed after "Industrial sludges:..." in order to better list the requirements for testing. BFI also suggests we use the words "TC organics" rather than "TCLP organics"

(B) "Analytes" is the correct term to use. Also, using "TC organics" is correct rather than using "TCLP organics".

(C) Change proposed 102.15(2)e(1) to the following: "1. Industrial sludges: Analytical testing requirements include the Characteristic of Toxicity for all TC analytes, the Paint Filter Liquids Test, and pH. If solvents are used in the process which generates the sludge, the additional TC organics are required."

6. (A) BFI states that the proposed section 102.15(2)e(1) through (16) may be inconsistent with our proposed section 102.15(2)b which states that "... the department may require testing..." and "...testing requirements may be altered ...".

(B) It is felt there is not an inconsistency between the parts mentioned by BFI. Certain wastes definitely require testing parameters, some of which are listed, proposed 102.15(2)e(1) through (16). However, some wastes either through knowledge of process or common sense would not require the full range of testing requirements.

(C) No changes to the proposed rules.

7. (A) From BFI, BFI suggests that the inclusion of the additional 9 solvents, found in proposed 102.15(2)d(2), to the wastes for which TCLP testing will be required will add considerable cost to the TC testing process.

(B) The rationale behind the 9 additional solvents is to eliminate the Departments requirement of Total Extractable Hydrocarbons (TEH) test for paint and paint related wastes. The TEH test has been found to be unacceptable for determining hydrocarbons contained in paint wastes. The cost of testing for these 9 additional solvents will increase the total cost of testing of a paint waste.

(C) No change to the proposed rules.

8. (A) From Iowa Association of Business & Industry (IABI), IABI states that the 9 chemicals do not have RCRA standards, that the rationale for establishing the limits is missing and is inconsistent with the TCLP listed chemicals. See proposed 102.15(2)d(2).

(B) The rationale behind the 9 additional solvents is to eliminate the Departments requirement of Total Extractable Hydrocarbons (TEH) test for paint and paint related wastes. The TEH test has been found to be unacceptable for determining hydrocarbons contained in paint wastes. The 9 additional solvents are common solvents associated with paint and paint wastes and the Department feels that these 9 should be part of the testing requirements.

The regulatory levels listed for these 9 solvents were derived by two different ways, those being either multiplying the Maximum Contaminant Level (MCL) or the Reference Dose Level (RfD) by 100.

(C) No changes to the proposed rules.

9. (A) IABI states that the proposed rules encompass far too many wastes that industries should not be required to test with the expensive toxicity leaching characteristic procedure nor be forced to apply for and receive authorization prior to disposal.

(B) IABIs statement is taken from their letter to us and is a summary type sentence resulting from the fact that without a definition for "industrial waste" our proposed rules are perceived as saying that ALL waste from an industry would need to be tested and under a SWA. The proposed definition of "special waste" and the proposed 102.15(2)e(1) and (10) were meant to clarify this confusion. Other comment letters also ask for a definition of "industrial waste" for better clarification (Monsanto Agricul-

tural Co., Quantum Chemical Corp., and Amy Couch from Wasker, Sullivan & Ward). Since proposed 102.15(2)e(10) uses the words "industrial process waste" we could change proposed 100.2 (the definition of "special waste") to use the words "industrial process waste" rather than just "industrial waste". In addition change/add clarification to proposed 102.15(2)e(10) so it reads "10. Industrial process waste: Analytical testing requirements include...". All the previous suggestions would require a definition of "industrial process waste". In 102.15(2) where "industrial" waste is used after "Special waste", that is an error. "Industrial" waste should be changed to read "special " waste. As it reads, infectious waste is not included.

(C) Add a definition of "industrial process waste" to 100.2. See item 11C. Change proposed 102.2 (the definition of "special waste") to use the words "industrial process waste" rather than just "industrial waste". Change proposed 102.15(2)e(10) so it reads "10. Industrial process waste: Analytical testing requirements...". The sentence in parenthesis is deleted and used in the definition. In proposed 102.15(2) after "Special waste. No ... , delete "industrial" and insert "special."

10. (A) Aluminum Company of America (ACA), suggests we add the word "process" between the words "non-hazardous industrial" and "wastes" in the definition of "special waste" in proposed 100.2.

(B) The suggested change helps to end confusion. This comment is similar to previous comments.

(C) Add the word "process" between the words "non-hazardous industrial" and "wastes" in the definition of "special waste" in proposed 100.2.

11. (A) From Monsanto, they state that the implication of our rules is that any industrial waste that is not a special waste is a toxic and hazardous waste.

(B) The confusion ends when one looks at the list of SWA wastes and their testing requirements in 102.15(2)e(10-16). Adding a definition of "industrial process waste" to 100.2 would clarify which wastes would need testing before disposal under a SWA.

(C) Add a definition of "industrial process waste" to 100.2 as follows: "Industrial process waste" means waste that is generated as the direct result of producing goods and commodities. It does not include office waste, cafeteria waste, or other types of waste that are not the direct result of production processes."

12. (A) BFI feels that the testing requirements for incinerator ash under proposed 102.15(2)e(3) are too stringent. They feel that that since incinerators operate at high temperatures, it is unlikely that TC organics will be present in the ash. They feel that the requirements should be TC metals only.

(B) The Department has no requirements for temperature and length of burn time for incinerators, therefore, the consistency of incinerator residue is questionable. The incinerator could be operated improperly. The Department has experience with organics showing up in incinerator ash.

(C). No change in the proposed rules is suggested.

13. (A) BFI states that all industrial process wastes should not be subjected to complete TCLP analyses, and that generators should have the opportunity to demonstrate to the Department the absence of specific TC compounds. See proposed 102.15(2)e(10).

(B) Proposed 102.15(2)b allows the testing requirements to be altered if the department believes there is sufficient evidence supporting the absence of analytes usually required by the TCLP requirement.

(C) No change in our proposed rules is suggested.

14. (A) BFI is questioning how an incinerated carcass could be incinerated yet still be "recognizable". They suggest that our proposed 102.15(2)e(12) be changed to reflect that such wastes be "incinerated" and that the ash be subjected to the TCLP metals only.

(B) The Department has no requirements for the amount of burn time and the temperature of a incinerator. The Department has experience with organics showing up in incinerator ash.

(C) No changes to the proposed rules.

15. (A) From BFI, BFI states our proposed 102.15(2)e(14) does not specify which pesticides would be subject to regulation, and that a specific listing would be helpful.

(B) The 10 ppm total pesticide level stated in 102.15(2)e(14) would be used as a determining factor for wastes contaminated with ANY pesticide. Nine pesticides are TC analytes under the TCLP as listed in proposed 102.15(2)d. If a generator had waste contaminated with the pesticides listed under TCLP those regulatory levels would be used as a determining factor, if the waste has been contaminated with any pesticides not listed under TCLP then the 10 ppm figure in 102.15(2)e(14) would be used as a determining factor.

(C) No change to the proposed rule.

16. (A) From Quantum Chemical Corporation (and Monsanto), Quantum states our proposed 102.15(2)d(6) "The waste is not contaminated by pesticides or herbicides." be removed as it is confusing and potentially contradictory with the specific pesticide and herbicide TCLP concentration limits listed in the proposed 102.15(2)d(1) and the proposed 102.15(2)e(14) which states, "Pesticide contaminated waste containing less than 10 ppm total pesticides" when referring to wastes which require a SWA.

(B) The 2 items do contradict each other.

(C) Remove 102.15(2)d(6) from our proposed rules.

17. (A) BFI wants clarification of the scope of section 102.15(2)e(15) in as far as which PAHs are covered and which one are carcinogenic.

(B) A list of those PAH compounds which would be analyzed for 500 ppm or less of Total PAHs and for 100 ppm or less of Total Carcinogenic PAHs is suggested for addition to this proposed rule.

(C) Add the list mentioned in part B to 102.15(2)e(15). For a complete new wording of proposed 102.15(2)e(15) see the next comment (part C).

18. (A) Quantum suggests our proposed 102.15(2)e(15) be removed since neither the term PAH or a testing procedure is defined or referenced to a definition in the proposed amendment or existing rules. They also state that the size of the nuclear structure is not defined, so no limit exists to the number of individual compounds which would be lumped under this category. They also feel that soil contaminated with coal would be unable to be landfilled since the PAH concentration would exceed our proposed 500 ppm limits.

(B) It is suggested that the list of Total PAHs and Total Carcinogenic PAHs, mentioned in the previous comment, be added to proposed 102.15(2)e(15) plus a testing procedure. The new wording for this proposed rule would include that list and the words "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, US EPA, SW-846 and additions thereto".

(C) Proposed 102.15(2)e(15) would read as follows: "15. Polynuclear Aromatic Hydrocarbon (PAH) contaminated soil may be disposed of if the Total PAH level is below 500 ppm {for compounds: Acenaphthene, Acenaphthylene, Anthracene, Benzo(a) Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(g,h,i)Perylene, Benzo (k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd)Pyrene, Napthalene, Phenanthrene, and Pyrene} and the Total Carcinogenic PAH level is below 100 ppm {for compounds: Benzo(a)Anthracene, Benzo(b)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, Indeno(1,2,3-cd)Pyrene, Phenanthrene, and Pyrene}. Methods to be used for determining these compounds are Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, November, 1986, Third Edition, US EPA, SW-846 and additions thereto."

19. (A) BFI states that levels of 500 ppb or lower may be very difficult to detect under currently available methods as referenced in our proposed 102.15(2)e(16).

(B) The list and information stated in item 18 above is adequate for determining levels below 100 ppm.

(C) Place part C of the previous comment in the proposed rules.

20. (A) The Iowa Hospital Assn. recommend rephrasing our proposed language to allow for technologies other than only steam sterilization or incineration. This comment results from proposed 102.15(2)e(8 and 12).

(B) It is suggested to add a statement to proposed 102.15(2)d(8) that other methods of rendering infectious waste non-pathogenic will be considered on a case by case basis. Testing requirements for methods other than sterilization (autoclaving) and incineration would be the characteristics of toxicity and the characteristic of corrositivity. In addition to the submission of analytical data, the generator of the infectious waste would be required to submit data to the Department to show that the infectious waste is no longer pathogenic.

It is also suggested that 102.15(2)d(12) be eliminated from the proposed rules, as "pathological wastes" and "contaminated animal carcasses" are included in the proposed definition of "infec-

tious waste" and other methods of rendering infectious waste non-pathogenic are possible.

It is also suggested that the word "contaminated" be placed in front of the word sharps in proposed 102.15(2)e(7).

It is also suggested that the words ",except contaminated sharps" be placed behind "Other Infectious wastes:" in proposed 102.15(2)e(8).

(C) 102.15(2)e(12) would be eliminated. The proposed 102.15(2)e(8) would read "Other infectious wastes (,except contaminated sharps): If sterilized by autoclaving (steam sterilization) must be sterilized in a bag manufactured for stability during sterilization. The bag must have a special tape in the upper 1/3 portion that will have black or brown lines running through it showing that sterilization took place after the tape was applied to the bag." In addition the following will be added to 102.15(2)e(8):

"If incinerated, must be rendered non-recognizable. Other methods of rendering infectious waste non-pathogenic will be considered on a case by case basis. Testing requirements for methods other than sterilization (autoclaving) and incineration would be the characteristics of toxicity and corrositivity. In addition to the submission of analytical data the generator of the infectious waste would be required to submit data to the Department to show that the infectious waste is no longer pathogenic."

21. (A) From The Iowa Hospital Assn., they recommend rephrasing proposed 102.15(2)e(7) to say that sharps be put in a rigid container and then allow treatment by any of several technologies.

(B) Our proposed 102.15(2)e(7) says sharps must be sterilized and disposed of in a rigid container. The wording of the proposed rule applies only to disposal of contaminated sharps and is not intended to apply to how are handled by the generator. The emphasis is that contaminated sharps must be sterilized and that they must be disposed of in a rigid container in a landfill. The proposed rule does not require contaminated sharps be sterilized before placing in a rigid container. With the suggested wording of the commentor, it is not clear that contaminated sharps must be disposed of in a rigid container.

(C) No change to the proposed rule.

22. (A) From the Iowa Dental Association, they are concerned that there still needs to be further clarification of what is normal operatory waste, such as examination gloves, surgical masks, extracted teeth, gowns, cotton swabs, gauze, etc. that fail the definition of infectious and should therefore be discarded as normal "unregulated waste".

(B) It is felt that the majority of wastes listed above are not "infectious waste" if the Association wants them designated as unregulated waste. The definitions of "infectious and infectious waste" are included in the proposed rules for the purpose of a facility making a decision on disposal of its waste.

(C) No change to the proposed rules.

Mr. McAllister gave a detailed explanation of the rules.

Nancylee Siebenmann stated that on Page 2, paragraph 5, she thought that intravenous needles was added to the listing of infectious waste. She also noted that on Page 6 of the Responsiveness Summary, under 20.A, gas sterilization should be added as a sterilization method for infectious waste.

Commissioner Siebenmann also questioned on Page 7, under 22.A, whether extracted teeth should be discarded as normal "unregulated waste." She related that extracted teeth could be infected and should be considered as infectious waste. She added that it should be made clear that extracted teeth should not be disposed of in an unregulated manner. Commissioner Siebenmann stated that anything that has blood products connected with it is now considered by the Center of Disease Control (CDC) to be something that needs to be protected.

Charlotte Mohr asked how to reach the people who administer their own insulin and whether they will have to put their needles in a special container.

Commissioner Siebenmann speculated that it will probably have to be through an education process by the local health departments.

Director Wilson stated that changes of this type would require going back out to public notice.

Nancylee Siebenmann suggested that staff check with the Infection Control Coordinator for the state to see what the CDC requirements are.

Motion was made by Nancylee Siebenmann to table this final rule for one month until staff has checked with the sources identified to be sure the rules are current with CDC recommendations. Seconded by Charlotte Mohr. Motion carried unanimously.

RULE TABLED FOR ONE MONTH

PROPOSED RULE--CHAPTERS 20, 22, 23, 24, 25 AND 29, AIR QUALITY RULE AMENDMENTS

Darrell McAllister, Bureau Chief, Surface and Groundwater Protection Bureau, presented the following item.

In preparation for the new operating permit program mandated by the Clean Air Act Amendments of 1990, the Department is proposing to update its air quality rules. The proposed changes include incorporating changes to federal regulations, making the rules

consistent with EPA regulations and policies, updating the "Compliance Sampling Manual" and other rule provisions and correcting errors in the rules.

A copy of the proposed rule is attached.

(A copy of the rule and Compliance Sampling Manual is on file in the Department's Records Center)

Mr. McAllister gave an explanation of the rules.

Margaret Prahll asked that the Commission be provided with an education session on these rules.

INFORMATIONAL ONLY

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Legal Services Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are ~~confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this~~ action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Saunders Oil Company (Sioux City) - underground tanks
- b. Macmillan Oil Company, Inc. (Des Moines) - water pollution
- c. City of Winterset - water pollution
- e. Tandem-Oak Park Associates (Ft. Dodge) - penalty

Saunders Oil Company

Mr. Murphy stated that Saunders Oil Company is a petroleum products distributor and under the law is required to deposit fuel or petroleum products only in currently registered tanks. He noted that, in 1990, there were a couple situations in which unregistered tanks were receiving products from Saunders Oil and Saunders was sent a warning letter.

Another violation was discovered in 1991 and an Administrative Order was issued. Recently staff learned of other unregistered tanks, belonging to James Koopman, in which Saunders had continued to deposit fuel products. Mr. Murphy stated that since staff has gone through the steps of issuing a warning letter and Administrative Penalty, the next step is referral to the Attorney General.

Appointment - John Huigens (Saunders Oil Company)

John Huigens, Saunders Oil Company, addressed the Commission requesting that the Commission allow them to resolve their problems without the necessity of involving the Attorney General's Office. He presented an overview of their company noting that they pay \$60,000/quarter in environmental protection charges. He stated that several months ago the company was found in violation. Realizing they were at fault they agreed to pay a civil penalty. Mr Huigens noted that they immediately took measures to prevent a reoccurrence by stressing to their drivers the seriousness of the matter of reporting unregistered or expired tanks. He related that numerous unregistered tanks have been reported by their drivers and subsequently reported to the DNR. The owners of the unregistered tanks were told that no further deliveries would be made until the problem was remedied. Mr. Huigens stated that the company does make a conscientious effort to comply with the regulations. He noted that one driver slipped up and disciplinary action was taken against that driver. In conclusion, he asked the Commission to bear in mind that this was one isolated circumstance and he requested the chance to resolve the matter with DNR staff rather than referring it to the Attorney General.

Discussion followed regarding the number of violations that took place; whose responsibility it is to report any unregistered tanks; and the disciplinary action taken against the driver who failed to report the unregistered tanks.

Margaret Prah! asked if any actions are taken by the department against a tank owner who does not register tanks.

Mr. Murphy responded that actions are taken but he is not sure of the specific action in this case. He related that whenever an unregistered tank is reported, the tank owner is notified by the department to register the tanks within 30 days.

Charlotte Mohr commented that she feels the tank owner (in Ireton) who failed to register the tanks filled by Saunders Oil should also be brought into this case.

Mr. Murphy stated that staff will check on it. He noted that this is two completely separate issues as there are separate requirements on the depositors to check tank tags.

Discussion followed in regards to listing currently registered tank owners so companies can check to see if they are delivering only to those who are registered.

Ron Maar (Saunders Oil referral)

Ron Maar, Petroleum Marketers of Iowa, stated that until January 1992, Leslie Campbell notified them that their industry was having a problem with registering tanks. She indicated that the only allowable recognition of a UST registration is the metal tag. He noted that the tag is in an area around the fill pipe where it is not always easy to see. Mr. Maar added that Saunders Oil Company was one of their main members who really began trying to enforce it. He stated that they just recently found that the DNR now issues a receipt for annual tank registration that can be photocopied and provided to the distributor. There have been problems with the tags falling off and being in the bottom of the well. Mr. Maar stated that as an industry they are trying to comply with the requirements.

Discussion followed regarding a consent decree and whether staff can work out an agreement without referral to the Attorney General.

Margaret Prah! asked if it still has to go through the Attorney General's Office if the department and the party can come to an agreement. She asked why we bother the Attorney General, who already has a large caseload, when the party is agreeing to a consent order and the penalty.

Mr. Murphy stated that when a prior Administrative Order has been violated the department usually does not drop the referral.

Motion was made by Nancylee Siebenmann to table this referral for one month and steps be taken for the company to pay all administrative fines and penalties and an agreement be accomplished without referral to the Attorney General.

Mr. Murphy stated that if it is tabled to work out a consent decree, even if everything is agreed to, it will have to come back before the Commission to send it to the Attorney General. He added that in order to get an injunction and penalty of the type staff feel is appropriate in this case, it would have to be referred. The only other option would be another Administrative Order with a fine staff feel is appropriate.

Commissioner Siebenmann restated her motion that this referral be tabled for 30 days to see if staff can work out a consent decree with the penalties that the department considers appropriate. Seconded by Margaret Prah!. Motion carried unanimously.

Director Wilson commented that he does not think the Commission would want to get into a position of making decisions on referrals based on workload at the Attorney General's Office.

Nancylee Siebenmann commented that it is in the best interest of the state if it can be expedited to everyone's satisfaction without adding another layer of bureaucracy.

REFERRAL TABLED FOR ONE MONTH

City of Winterset

Mr. Murphy stated that this case involves problems with the upgrade of the city's wastewater treatment facility. The city is not currently capable of meeting its final effluent limits and was issued an Administrative Order requiring a facility plan. The plan was submitted in 1990 with a two-part schedule, the first part for an access road. The city was three months late in getting those plans submitted and was as many months late with completing the road. Plans and specifications for treatment and sewer improvements were due August 1991. Those plans were submitted but were inadequate. According to the schedule, the city was to have awarded contracts for construction by now. The city has now proposed a new schedule which is not yet final. Construction will be delayed until 1994 when the Order had required that it be completed in 1993. Mr. Murphy stated that referral to the Attorney General is needed for a court order to include a full schedule of compliance and that appropriate civil penalties be sought.

Appointment - Mark Mitchell (City of Winterset referral)

Mark Mitchell, City Administrator for the City of Winterset, addressed the Commission asking them not to refer the matter to the Attorney General's Office at this time. He stated that their project was divided into three contracts. The access road project was completed this spring. Contracts for the collector main and for the plant renovation will be awarded in September. He stated that there was nothing the city did or did not do to cause any of the delays. He related that delays are partially the cause of their engineers. He expanded on problems they had with the engineers due to soil borings and surcharging dirt from the access road project. Mr. Mitchell stated that with the design being completed, and contracts to be awarded in several months, it seems to be overkill to refer it to the Attorney General's Office. He asked that it not be referred.

Brief discussion followed.

<i>Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Nancylee Siebenmann. Motion carried unanimously.</i>
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REFERRED

Macmillan Oil Company, Inc.

Mr. Murphy stated that this case involves a petroleum products storage facility and filling station where Walfley Creek flows around the facility on the east and southern sides of the facility. He related that an investigation of the site in July 1990 disclosed some contamination problems. The department has been dealing with the company since that time to get appropriate site assessment and remediation accomplished. The reason to seek referral in this case is the length of time involved and missed deadlines during that period. Also considered were deficiencies in maintaining the booms and the discharges from their recovery system in late December and January.

Appointment - Chuck Becker (Macmillan Oil Company referral)

Chuck Becker, representing Macmillan Oil Company, distributed a copy of a map of the area involved showing the location of nine booms. He related that seven of these booms have been in place longer than a year. He noted that there has been only two primary instances in which boom maintenance was a problem and he expanded on the cause of those problems. Mr. Becker stated that Macmillan is aware of the concept of boom management and that it has to be done but he does not think those problems should constitute the basis for referral in this case. He discussed discharges from the creek and ~~noted that the booms have not allowed any of the contaminant to get out of reach.~~ He stated that there have been two notices of potential referral in June and October of 1991, and in both cases the matter was worked out with DNR. Mr. Becker related that there were no further notices of potential referral until June of 1992. He stated that when the county widened the stream they found a tank in the streambed and it is unknown whether or not it was ruptured at that time. He added that there may have been a clay barrier removed during the widening which may have allowed migration of the product. Mr. Becker pointed out that Macmillan has taken efforts to satisfy the concerns of DNR each step of the way and have, more or less, been janitors of the creek. To date, the remedial efforts of Macmillan Oil have resulted in 12,000 gallons removed from the area. He added that Macmillan will be installing a bioremediation system if approved by DNR. He noted that Macmillan shut down the site in May, removed all USTs, and is in the process of removing above ground tanks. To date they have spent in excess of \$200,000 on the problem and will probably spend another quarter of a million. Mr. Becker stated that it is unwarranted and incorrect to say that Macmillan Oil failed to investigate and remediate. He added that based upon the information presented to the Commission today, Macmillan Oil believes that there is no reason to refer the matter to the Attorney General's Office at this time. He asked that Macmillan be allowed to continue to spend it's funds continuing to do the cleanup and not by defending itself before the Attorney General's Office.

Margaret Prahel asked if it is the company's contention that all releases since 1990 were from prior leaks

Roland Newton, Patzig Laboratories, stated that he does not know if that can be positively determined one way or another.

Discussion followed regarding when the underground tanks were removed; sealing the streambank with clay to minimize releases into the stream; the amount of time to do tank tightness testing; dealing with the matter on an administrative level; the amount spent to remedy the situation; and why it took so long to begin remediation.

Mr. Becker asked if there is a punitive aspect to this because that is what the Commission is doing when it is sent to the Attorney General and has to be defended in the district court.

Margaret Prah1 remarked that referral to the Attorney General is not intended to be punitive and those cases are frequently resolved without going to district court, but referral is indicative that the problem does get solved.

Mr. Becker indicated that it could be handled administratively now, and if there is failure to comply it can be referred in the future.

Clark Yeager asked if this case is being treated differently than any other LUST site.

Mr. Murphy replied that it is not just a LUST site and the department has well-documented facts that it is leaking off site, and he does not think they are being treated differently than anyone else. He noted the delays in installing and maintaining the booms and responding to request for reports.

Further discussion took place regarding soil removal, how often the booms have to be replaced, and the site classification system for LUST sites.

Motion was made by Margaret Prah1 for referral to the Attorney General's Office. Seconded by Nancy1ee Siebenmann.

Gary Priebe asked if Commissioner Prah1 is in agreement with the suggested fine.

Margaret Prah1 commented that the Commission may want to go into closed session to discuss the fine.

Margaret Prah1 withdrew her motion for referral. Nancy1ee Siebenmann withdrew her second to the motion.

MOTION WITHDRAWN

Closed Session (Macmillan Oil Company, Inc. referral)

Motion was made by Margaret Prahl to go into closed session pursuant to Iowa Code Section 21.5(1)c to discuss strategy with counsel in matters where litigation is imminent where disclosure would be likely to prejudice or disadvantage the position of the government. Seconded by Gary Priebe.

Chairperson Yeager requested a roll call vote. "Aye" vote was cast by Commissioners Britt, Mohr, Prahl, Priebe, Siebenmann, and Yeager. Motion carried unanimously.

Motion was made by Charlotte Mohr to adjourn the closed session and return to open session. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

Motion was made by Margaret Prahl for referral to the Attorney General's Office with a 20% reduction in the recommended penalty. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

REFERRED WITH REDUCTION IN PENALTY

Tandem-Oak Park Associates

Mr. Murphy briefed the Commission on the history of this case involving monitoring violations of their drinking water supply.

Motion was made by Charlotte Mohr for referral to the Attorney General's Office. Seconded by Margaret Prahl. Motion carried unanimously.

REFERRED

1993 LEGISLATIVE PROPOSALS

Director Wilson distributed copies of the following proposed bills for potential inclusion in the 1993 legislative package.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION LEGISLATIVE PROPOSALS
1993 LEGISLATIVE SESSION**

Commissioners: Please consider the following list of potential legislation. Various staff members have prepared this, considering previously submitted bills, areas needing updating, and fresh ideas.

AIR QUALITY AUTHORITY CORRECTIONS NECESSARY TO IMPLEMENT THE NEW FEDERAL CLEAN AIR ACT

During the 1992 legislative session, the department proposed several amendments to our air quality authority which are necessary to implement the new federal clean air act. The amendments were not adopted in final form during 1992. The changes are absolutely needed this year, as the department must submit its final package to US EPA in November 1993 in order for Iowa to retain delegation of the federal air quality program.

CREATE AN ENVIRONMENTAL TRUST FUND

Establish a trust fund which would receive user fees in air quality, solid waste, water supply, and water quality areas. These funds will be used to fund the administrative costs of the department in operating the programs of appropriate sections of Chapter 455B. User fees would be obtained by requiring that rules be adopted which establish a schedule of fees for permits and conditional permits issued by the department, and a schedule of fees to be periodically assessed for the administration of the permits.

This proposal was introduced during the 1992 session, but a final bill was not adopted. Funding of environmental protection programs is now at a critical stage. Wastewater program funding was handled through the old construction grants program; this source was eliminated in 1990, any reserve has been depleted. Solid waste programs have been operating off of oil overcharge funds, and this funding source will be exhausted after 1993. The drinking water program needs to be expanded due to increasing federal requirements. An adequate and reliable source of funding for these programs needs to be established.

ALLOCATING FINES AND PENALTIES FOR REMEDIAL ACTIVITIES

This proposal was included in the environmental trust fund legislation introduced during the 1992 session. Fines and penalties, which are currently allocated to several accounts, would be placed into one account, and used for remedial activities.

ELIMINATE 10 YEAR MORITORIUM ON WASTEWATER TREATMENT PLANT UPDATES

This provision (455B.173(2)), which prevents the department from requiring compliance with more stringent effluent limits for ten years after construction of a facility, is not consistent with the federal water pollution control act. The US EPA has made it clear that failure to remove this provision will be cause for them to supersede our state program.

FUNDING FOR WASTE REDUCTION ASSISTANCE PROGRAM (WRAP)

This technical assistance program helps large businesses to reduce their solid and hazardous waste generation. It is currently funded by a US EPA grant; however, FY 93 is the final year for funding. Alternative funding sources have been proposed during the last two legislative sessions, but have not yet been adopted.

CORRECTIVE AMENDMENT TO SOLID WASTE TONNAGE FEE LANGUAGE

During the 1992 legislative session, new language was introduced which would require landfill operators to charge higher tonnage fees to anyone hauling solid waste from outside the comprehensive plan area. However, the language needs fine tuning to accomplish legislative intent, which is to provide a financial incentive for disposing of waste within the comprehensive plan area.

WASTE OIL COLLECTION

Require every county to have at least one collection site. Current state law does not ensure reasonable access by the public to proper facilities for disposal of this waste.

BOTTLE BILL CORRECTIONS

Make the following corrections, to reflect the types of containers now marketed, and provide consistency in implementation of the program.

(1) Change 455C.1 definitions, to include non-alcoholic beers and wines, and non-carbonated juices and waters. These newly marketed products are sold in the same types of containers that regulated beverages are contained in.

(2) Modify 455C.14, which deals with flattened metal beverage containers, by deleting references to metal and "beer" distributors. This would require that all beverage distributors provide for collection of containers, and all containers except broken glass would be accepted.

~~MINIMIZE PRODUCT PACKAGING AND INCREASE PACKAGE RECYCLABILITY~~

Model legislation, developed by the Coalition of NE Governors, would require excess packaging to be reduced and encourage recyclability of packaging that is used. This legislation could be introduced as an augmentation to current waste reduction efforts in Iowa.

INCLUDE COLLECTION OF RECYCLABLES AS A REQUIREMENT IN CONSTRUCTION

This proposal would require that new, multi-family and business construction provide facilities for the collection of recyclables, if they provide for the collection of solid waste. Collection could include, but would not have to be limited to, paper, plastic, glass, and metal.

MINIMUM RECYCLED CONTENT OF NEWSPRINT

Require newspapers to meet certain percentages of recycled content newsprint in their operations. In addition, glossy inserts could be banned, and a requirement added that they be printed on recyclable paper.

EXPANDING PROCUREMENT POLICIES TO INCLUDE LOCAL GOVERNMENTS

Require local governments to establish procurement policies which encourage use of products with recycled content. An extension of this would be to require that local governments also institute office recycling programs.

STORMWATER PERMIT AUTHORITY TECHNICAL CORRECTION

Add Part "1" to 455B.103A (stormwater general permit enforcement authority). The number "1" was inadvertently left out of language that was in the department's appropriations bill this past session.

ESTABLISHING FEES ON PESTICIDES AND FERTILIZERS TO SUPPORT WATER TREATMENT COSTS

Additional standards and monitoring requirements for synthetic organic contaminants and nitrate in drinking water places a significant burden on water supplies for both monitoring and treatment costs. A fee on the sale of chemicals could be used to pay for or provide cost share for treatment and/or monitoring costs.

ACCOUNTABILITY FOR SOLID WASTE TONNAGE FEES THAT LOCAL AGENCIES RETAIN

As of FY 1993, local agencies are able to retain 95 cents of the \$4.25 tonnage fee for various purposes, such as comprehensive plan development and implementation, closure/post closure requirements, installing scales, closing landfills, and building transfer stations. A critical element is saving funds for closure/post closure requirements. Currently, there are no reporting requirements which indicate how much money is set aside, and for what purposes. Requiring some reporting to the Legislative Fiscal Bureau, with a copy to DNR, would provide some accountability.

Director Wilson noted that some of the items were in last year's package but did not pass and some new items have been added. He asked the Commissioners to review the proposals and give their comments to him in the next few days. He indicated that draft bills will be provided for the Commission's consideration and approval at the August meeting.

Brief discussion followed.

INFORMATIONAL ONLY

GENERAL DISCUSSION

Discussion took place regarding the fuel distributor's responsibility for checking UST tank tags. It was suggested that a reminder of the requirement to have USTs registered be included in some of the department's publications.

ADDRESS ITEMS FOR NEXT MEETING

Conflict of Interest rules

July 1992

Environmental Protection Commission Minutes

Education session on air quality rule amendments

NEXT MEETING DATES

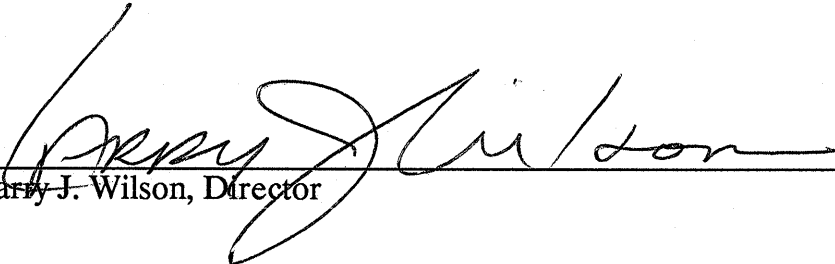
August 17, 1992

September 21, 1992

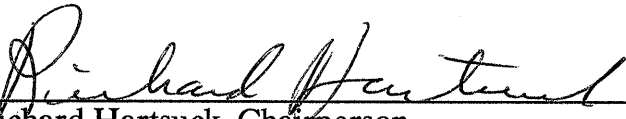
October 19, 1992

ADJOURNMENT

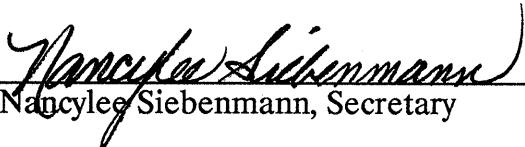
With no further business to come before the Environmental Protection Commission, Chairperson Yeager adjourned the meeting at 3:30 p.m., Monday, July 20, 1992.



Larry J. Wilson, Director



Richard Hartsuck, Chairperson



Nancy Lee Siebenmann, Secretary

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